



ORDINARY MEETING

AGENDA

23 APRIL 2024

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 23 April 2024 commencing at 9:00am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. Pe", written over a horizontal line.

CHIEF EXECUTIVE OFFICER
18 April 2024

Next Meeting Date: 14.05.24

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor N K Fisher
Councillor G D Mathers
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 9 April 2024

Minutes of the Special Meeting held 15 April 2024

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 11 APRIL 2024

RECOMMENDATION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 11 April 2024 as circulated, be received and that the recommendations contained within these minutes be adopted.

(Note: The complete minutes are contained in the separate Minutes document)

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.1 CEO UPDATE**

File No: 13900
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Chief Executive Officer providing an update on matters of importance.

COMMITTEE RECOMMENDATION

THAT the Chief Executive Officer's update be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.2 FINAL MANAGEMENT LETTER FOR ROCKHAMPTON REGIONAL COUNCIL
2022/2023**

File No: 8151
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

Following the certification of the Financial Statements for the period ended 30 June 2023, the Final Management Letter was received from the Queensland Audit Office (signed by Thomas Noble & Russell as delegate).

COMMITTEE RECOMMENDATION

THAT the Final Management Letter for the 2022/2023 financial audit of Rockhampton Regional Council be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.3 EXTERNAL AUDIT PLAN 2024 AND QAO BRIEFING PAPER**

File No: 9509
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The External Audit Plan from Council's Auditors, Thomas, Noble and Russell Chartered Accountants (TNR), together with a Briefing Paper from the Queensland Audit Office (QAO) are provided for committee review.

COMMITTEE RECOMMENDATION

THAT the 2024 External Audit Plan be endorsed, and the Queensland Audit Office Briefing Paper be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.4 ASSET REVALUATION 2023/2024**

File No: 5960
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The purpose of this report is to inform the Audit and Business Improvement Committee regarding the Asset Revaluations for the 2023/24 reporting year.

Key items are the status of the Land, Water and Sewerage revaluations, and the status of the indices assessments for 2023/24.

Procurement processes have been completed in relation to service providers to support the revaluation of Land and Water and Sewerage assets, and the interim assessments of indices for application to asset classes not due for comprehensive revaluation in 2023/24.

COMMITTEE RECOMMENDATION

THAT the members of the Audit and Business Improvement Committee note the contents of the report.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.5 CAPITALISATIONS OF CAPITAL WORKS IN PROGRESS**

File No: 5960
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer providing an update regarding the capitalisation of capital works in progress.

COMMITTEE RECOMMENDATION

THAT the Capitalisation of Capital Works in Progress report be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.6 FINANCE SECTION UPDATE**

File No: 8148
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

Chief Financial Officer providing a Financial Section Update on matters to date for 2023/2024 Financial Year.

COMMITTEE RECOMMENDATION

1. THAT the Finance Section Update be received.
2. THAT the Deputy CEO and the Committee Chairperson have discussions around the possibility of enhancing information contained within the reports.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.7 INDEPENDENT REVIEW OF LONG SERVICE LEAVE BALANCE ADJUSTMENTS**

File No: 10160
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the report from Pacifica Chartered Accountants on the Independent Verification of the Methodology and Approach to Long Service Leave Balance Adjustments.

COMMITTEE RECOMMENDATION

1. THAT the report on Long Service Leave Balance Adjustments be received.
2. THAT the Committee receive a further report on progress of the recommendations contained within the report.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.8 ADVISORY REVIEW OF AUDIT COMMITTEE EFFECTIVENESS**

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

Presentation of the Advisory Review of Audit Committee Effectiveness report for the consideration of the Committee.

COMMITTEE RECOMMENDATION

1. THAT the Committee receives the report and note the recommendations contained within the report.
 2. THAT the IIA-Australia and Department of Local Government work together to customise the maturity model for the Local Government.
-

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.9 CYBER SECURITY STRATEGIC THEMATIC REVIEW**

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

The planned reviews are presented for the information of the Committee.

COMMITTEE RECOMMENDATION

1. THAT the Cyber Security Strategic Thematic Review as attached to the report be noted.
2. THAT a further report be presented to the Committee outlining an approach to:
 - a) Prepare an assurance map specific to ICT; and
 - b) Reference the cyber security audit results (p107 of the report) and associated internal control framework (p116).
3. THAT, in later iterations, provide line-of-sight to the reliance of critical infrastructure assets and services to ICT support.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.10 INFORMATION SYSTEMS - CYBER SECURITY UPDATE**

File No: 12177
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Megan Younger - Manager Corporate and Technology Services

SUMMARY

The purpose of this report is to provide the committee with an overview of the current state of cyber security within Rockhampton Regional Council.

COMMITTEE RECOMMENDATION

THAT the Information Systems - Cyber Security Update report be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.11 LOSS / THEFT ITEMS - NOVEMBER 2023 TO MARCH 2024**

File No: 3911
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

This report presents details of the Loss/Theft Items for the period November 2023 to March 2024.

COMMITTEE RECOMMENDATION

THAT the Committee 'receives' the Loss/Theft Items – November 2023 to March 2024 report.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.12 ASSET MANAGEMENT**

File No: 13900
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Infrastructure Planning

SUMMARY

Manager Infrastructure Planning will be presenting a verbal update on Asset Management matters.

COMMITTEE RECOMMENDATION

THAT the verbal update on Asset Management matters be 'received'.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.13 WORKPLACE HEALTH AND SAFETY UPDATE**

File No: 4868
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Damon Morrison - Manager Workforce and Governance

SUMMARY

Manager Workforce and Governance presenting an update on workplace health and safety matters for the information of the committee.

COMMITTEE RECOMMENDATION

THAT the Workplace Health and Safety update be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.14 INVESTIGATION AND LEGAL MATTERS PROGRESS REPORT**

File No: 1830
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Damon Morrison - Manager Workforce and Governance

SUMMARY

Manager Workforce & Governance presenting an update of financial year to date Investigative Matters and the current Legal Matters progress report

COMMITTEE RECOMMENDATION

THAT the Update of Investigation and Legal Matters Progress report for Rockhampton Regional Council be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.15 FRAUD DATA (2023) ANALYSIS REPORT**

File No: 8780
Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Deputy Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Analysis of fraud and corruption data supplied by Workforce Relations, Ethics and Payroll for the 2023 calendar year, and longer-term 2016-2023 period, provided to the Committee for their information.

COMMITTEE RECOMMENDATION

THAT the Committee “receives” the report, including the two attachments of the fraud and corruption data analysis that has been undertaken.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.16 INDEPENDENT QUALITY ASSESSMENT OF INTERNAL AUDIT 2024 - DRAFT REPORT**

File No: 10160
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

Presentation of the External Quality Assessment of Internal Audit draft report undertaken in 2024.

COMMITTEE RECOMMENDATION

THAT the External Quality Assessment of Internal Audit draft report be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.17 AUDIT PLAN PROGRESS**

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

The progress of the annual audit plan is provided for information, as per Local Government Regulation S207(1)(c).

COMMITTEE RECOMMENDATION

THAT the update report and plan status be received and progress outlook being - **on track**.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.18 ACTION PROGRESS REPORT**

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

This twice-yearly report is provided as per LG Regulation S207 & S211.

COMMITTEE RECOMMENDATION

THAT the Action Progress Report be received.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.19 ASSERTIONS AND DECLARATIONS 2023 - QUALITY ASSURANCE AND IMPROVEMENT PROGRAM**

File No: 8563
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

Internal Audit's assertions and declarations are provided for the information of the Committee.

COMMITTEE RECOMMENDATION

THAT Internal Audit's assertions and declarations be "received" and noted.

Recommendation of the Audit and Business Improvement Committee, 11 April 2024**9.1.20 ANNUAL AUDIT PLAN**

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

The draft Annual Audit Plan summary for 2024-25 financial year is presented for the consideration of the Committee.

COMMITTEE RECOMMENDATION

1. THAT the Draft Audit Plan be received and feedback noted.
2. THAT the Committee receive the recommended Audit Plan following input from management.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 CAPRICORN MEGA CAREERS EXPO 2024

File No:	2440
Attachments:	Nil
Authorising Officer:	Angus Russell - Executive Manager Advance Rockhampton
Author:	Wade Clark - Economic Development Manager

SUMMARY

The Capricorn Mega Careers Expo is an annual event held at CQUniversity which supports high school students and job seekers of all ages to discover exciting careers and study pathways that can help shape their future. The Council through Advance Rockhampton has previously provided financial and in-kind support for this event alongside CQUniversity and the Rockhampton Manufacturing Hub and this partnership arrangement is being sought for the 16 May 2024 event.

OFFICER'S RECOMMENDATION

THAT Council sponsors the Capricorn Mega Careers Expo to be held on 16 May 2024 for \$10,202 inclusive of GST.

COMMENTARY

The Capricorn Mega Careers Expo has been held annually at CQUniversity to support high school students and job seekers of all ages discover exciting careers, provide engagement directly with prospective employers and opportunities to explore study pathways.

As at 15 April 2024, a total of 845 jobs were advertised in the broader region via seek.com.au with Advance Rockhampton aware of numerous other local businesses that may not necessarily be on this platform but wanting to recruit skilled and non-skilled workers.

With a tight labour market and an accelerating economy it is recommended that the Rockhampton Region has a continued focus on assisting engagement methods that helps locals into local employment.

The Capricorn Mega Careers Expo has been a successful platform of engagement with the 2023 event drawing 100 registered exhibitors across a wide variety of different industries and 1000 students from across the broader region.

Traditional CQUniversity has partnered with the Council through Advance Rockhampton and the Rockhampton Manufacturing Hub with each of the partners allocating up to \$10,000 financially and an in-kind contribution in the planning and delivery of the event.

Various other agencies are also contributing the event, such as Workforce Australia who will be organising the jobs board and providing resume writing services.

It is recommended that the Council continues with this arrangement, providing \$10,202 inclusive of GST to support the event through the hire of all the furniture and AV requirements, noting that this procurement would be with a local business.

Apart from enabling of local career development the Council also benefits through increased brand awareness, industry engagement and the Council will have its own significant stall at the event where the Council can engage with prospective employees and provide guidance on opportunities at Council.

The sponsoring of this event will also meet an action of the Rockhampton Region Economic Action Plan under the Talent Retention & Attraction Pillar which is: Collaborate with education institutions to deliver a yearly careers development expo for student retention.

BUDGET IMPLICATIONS

The Capricorn Mega Careers Expo 2024 will cost Council \$10,202 (Incl GST), noting that Advance Rockhampton's Economic Development team has allocated budget for this expense.

STAFFING IMPLICATIONS

At the Capricorn Mega Careers Expo, three staff members from the Economic Development team and two staff members from Workforce and Governance would be required across the day to be at the stall and engage with students and job seekers.

CORPORATE/OPERATIONAL PLAN

Corporate Plan

Goal 3.2: Our work attracts business and industry to our region.

Effort: We work collaboratively with business and industry partners and stakeholders.

Operational Plan

3.2.4.1: Develop further opportunities to engage and collaborate with local industry, industry groups and industry partners.

Rockhampton Region Economic Action Plan

Pillar: Talent Retention & Attraction

Outcome: Increase student work awareness and experience opportunities through industry engagement initiatives.

Actions: Collaborate with educational institutions to deliver a yearly careers development expo for student retention.

CONCLUSION

The Capricorn Mega Careers Expo has been a key engagement platform to bring students and local employers together in exploring opportunities for employment and study pathways. With Rockhampton's economy accelerating this proposed collaboration provides a cornerstone platform for student and industry engagement.

11.2 MOUNT MORGAN FOSSICKING AREA COMMUNITY CONSULTATION

File No: 14077
Attachments: Nil
Authorising Officer: Wade Clark - Economic Development Manager
Angus Russell - Executive Manager Advance
Rockhampton
Author: Amanda Hinton - Senior Advisor Economic
Development

SUMMARY

This report is seeking endorsement from Council to undertake community consultation on a potential General Permission Area (GPA) for recreational and tourist focused fossicking at No 7 Dam, Mount Morgan.

OFFICER'S RECOMMENDATION

THAT Council undertake community consultation on potentially establishing a recreational and tourist fossicking area through a General Permission Area (GPA) at No 7 Dam, Mount Morgan (Lot 201 RN836502); and

THAT a further report be provided to Council outlining the outcomes of the community consultation process and any subsequent activities to progress.

COMMENTARY

In line with the Advancing Mount Morgan Strategy, Advance Rockhampton has been exploring opportunities to establish fossicking in the Mount Morgan District via GPA's to support an increase in local tourism and local amenity.

A GPA is an area where the landowner has given permission for fossicking to occur. Once a GPA has been approved by the Department of Resources based on a request from the landowner, fossickers do not require the landowners permission to fossick and liability is covered by the State of Queensland.

The opportunity to fossick for gold in Mount Morgan would be a compelling drawcard for tourists, offering them a chance to connect with the region's history in a tangible and immersive way. This unique experience is likely to increase visitation numbers and extend visitor stays, contributing to the local economy through spending on accommodation, dining, and other services.

From research undertaken coupled with discussions with various community members the land around the No 7 Dam in Mount Morgan (Lot 201 on Crown Plan RN836502), has had historical fossicking and there is an opportunity to explore this as a potential GPA. Note that this land is a community reserve for Recreation & Water purposes.

It is recommended that community consultation on establishing a GPA is undertaken with a report on the outcomes of the consultation provided to Council for a decision on potential progression. If approval is provided by the Council through this report a consultation plan will be established with consultation to be started in May 2024.

In terms of potential future processes, a new Land Management Plan (LMP) will need to be completed to include fossicking before a GPA can be established if Council decides to pursue a GPA. The GPA and LMP are required to be approved by the Department of Resources. Once a new LMP is approved the Department of Resources can then approve a GPA to allow people with fossicking licenses to use the site. The GPA contains special conditions that the user must comply with, these special conditions are established to ensure the safety of the site and would take into consideration factors such as access, parking areas, designated areas and backfill excavations immediately after use to make them safe

for other visitors and reserve users, and contour excavations to the surrounding land surface for example.

BACKGROUND

Various areas have been investigated in Mount Morgan to potentially establish a GPA.

In 2022/23 the recreation reserve at Horse Creek (Lot 98 RN1248) was investigated however it was deemed the site is contaminated due to a legacy landfill and was discontinued.

In 2023 community consultation was conducted as part of investigating public land at Leydens Hill (Lot 203 RN1556). In May 2023 after investigations were completed it was deemed that access to the site was deemed as unsuitable with local residents.

The No 7 Dam site has been identified as an alternative site for community consultation based on the existing access, historical fossicking and infrastructure at the site.

Note that the No 7 Dam site is identified as having historical small scale gold mining and exploration undertaken by GeoResGlobe. GeoResGlobe is an online, interactive platform to view Queensland's mining and exploration data to assist in the administration of permits and assessment of mineral potential in Queensland, an online mapping system used by the Queensland Government.

PREVIOUS DECISIONS

The Advancing Mount Morgan Strategy adopted by Council on 5 November 2019. The Strategy included an initiative to facilitate establishing a Mount Morgan Fossicking Tourism Business.

BUDGET IMPLICATIONS

Internal resources from Advance Rockhampton and Community Services will be utilised for the community consultation.

LEGISLATIVE CONTEXT

The Department of Resources is responsible for issuing people with a fossicking licence. Because the land is reserve, with the Council being the trustee it's also the Department of Resources that designates the land with a GPA as they are the ultimate landowner but the trustee is required to undertake the consultation, associated processes and make a formal request.

LEGAL IMPLICATIONS

There are no applicable legal implications with undertaking the community consultation.

STAFFING IMPLICATIONS

Internal staff resources from Advance Rockhampton and Community Services will be utilised for the community consultation.

RISK ASSESSMENT

All community consultation will be conducted following Councils Policies.

CORPORATE/OPERATIONAL PLAN

Operational Plan 2023 - 2024

3.2.1 We support projects that strengthen the Region's economic development.

2.2.2 We provide opportunities for people to contribute to their communities.

Corporate Plan 2022 – 2027

GOAL 3.1 We plan for growth with the future needs of the community, business and industry in mind.

CONCLUSION

Undertaking the proposed community consultation and demonstrated support for the proposal would, subject to Council endorsement, then trigger progressing subsequent steps to amend the Land Management Plan and establish the General Permission Area at the land adjacent to the No 7 Dam in Mount Morgan.

The addition of a fossicking experience in Mount Morgan promises economic benefits for both the local community and the broader Rockhampton region.

This initiative would not only offer a unique tourism attraction rooted in the area's rich gold mining history but also extends visitor stays, driving spending across accommodation, dining, and other services.

11.3 SPONSORSHIP OPPORTUNITY - CAPRICORNIA CHAMBER OF COMMERCE - ARTIFICIAL INTELLIGENCE WORKSHOP

File No:	654
Attachments:	1. Workshop and Presenter Information 2. Capricornia Chamber of Commerce Sponsorship Request
Authorising Officer:	Wade Clark - Economic Development Manager Angus Russell - Executive Manager Advance Rockhampton
Author:	Amanda Hinton - Senior Advisor Economic Development

SUMMARY

The Capricornia Chamber of Commerce (the Chamber) regularly organises events aimed at nurturing business development and fostering inter-business relationships. The Chamber has put forward an opportunity to partner with Advance Rockhampton to undertake a workshop focusing on Artificial Intelligence (AI). The proposed workshop would provide educational resources and assistance to Rockhampton businesses as they navigate the complexities of the evolving digital landscape.

OFFICER'S RECOMMENDATION

THAT Council sponsors the Capricornia Chamber of Commerce Artificial Intelligence workshop in June 2024 to the value of \$3,000 exclusive of GST.

COMMENTARY

The Chamber is recognised as an advocate for Rockhampton businesses and has been working with Advance Rockhampton for many years to support business development.

The Chamber is proposing a partnership via a sponsorship to undertake a dedicated AI workshop which will provide educational resources and assistance to local businesses as they navigate the complexities of this evolving digital landscape. The workshop would be delivered by Rockhampton and CQU alumni Sue Johnston (see attached profile).

By sponsoring the event to the value of \$3,000 excluding GST, the Rockhampton Region would receive the following benefits:

- Up to 60 businesses would be able to attend the workshop.
- The workshop would be held in Rockhampton.
- The workshop will equip businesses with the knowledge and tools in AI.
- The workshop will have a high calibre keynote speaker.
- The workshop will support the business community to grow and stay competitive.
- The cost of the ticketing will be reduced making it easier for local micro and small businesses to afford to purchase a ticket, the Chamber plans to charge \$25 for Chamber members and \$40 for non-members to attend the event.

In a rapidly evolving digital age, where proficiency in AI and related technologies is required for a competitive advantage, access to educational resources like this is crucial.

Please note that the Chamber will cover venue hire, marketing and other logistical costs and is actively seeking sponsorship from other parties to cover accommodation and airfare for the keynote speaker.

BACKGROUND

Nil

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

The sponsorship of the AI workshop will cost \$3,000 (Excl GST) noting that Advance Rockhampton's Economic Development team has allocated budget for this expense.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

A representative from the Economic Development team of Advance Rockhampton will work with the Chamber to focus communications to the Rockhampton business community.

RISK ASSESSMENT

Nil

CORPORATE/OPERATIONAL PLANOperational Plan

Goal 3.2 Our work attracts business and industry to our Region.

Corporate Plan

Goal: 3.1 We plan for growth with the future needs of the community, business and industry in mind.

Goal: 3.2 Our work attracts business and industry to our Region.

Goal: 3.4 We support our Region's economy through our projects and activities.

Rockhampton Region Economic Action Plan

Pillar: Regional Collaboration and Partnerships

Actions: P4.A.AC4 Collaborate and develop new and existing partnerships that enhance key industry sector growth and innovation such as Small Business Friendly Council Initiative, Ai Hub, Chamber of Commerce.

Actions: P4.D.AC3 Continue to support digital readiness and online development workshops for small business.

CONCLUSION

Partnering with the Chamber to support this event demonstrates collaboration and commitment to the growth and success of the Rockhampton business community. This training and education initiative will empower Rockhampton businesses to grow and stay competitive in today's dynamic marketplace. By working together, we can foster a stronger business ecosystem and create opportunities for sustainable development and prosperity in the region.

**SPONSORSHIP OPPORTUNITY -
CAPRICORNIA CHAMBER OF
COMMERCE - ARTIFICIAL
INTELLIGENCE WORKSHOP**

Workshop and Presenter Information

Meeting Date: 23 April 2024

Attachment No: 1

Keeping “Rocky on the Radar” in the Age of AI

Presented by Sue Johnston

AI is everywhere! A Community Intelligent (CI) approach in the age of AI is about out a human and heart centred methods to gain a competitive advantage.

Many people feel overwhelmed by the rapid rate of technology in all aspects of their lives. This workshop lays the foundation for thriving in this new, every changing AI enabled economy.

In this interactive session Sue will take a deep dive into the trends, tools and tips for flexing your CI capability and becoming a Digital Invincible Community. As AI continues to evolve:

1. Understand what CI is and why it eats AI for breakfast.
2. What is AI Anxiety, why and how to navigate it in business and our communities more broadly.
3. Find out how you can beat the robots! Prepare to outsmart the robots and build a stronger region.
4. Risks, rewards and threats of AI. What are they for you and your context? What are the jobs of the future?
5. Do you identify as a robot? Understand why identity matters.
6. Identify and compare ethical and useful approaches and policies on generative AI from across the globe that you can adapt for your Business and community.
7. Understand how AI can augment rather than replace human capabilities in business, our work life and across key regional sectors such as manufacturing and tourism.
8. Generational differences within communities and the adoption of AI.
9. Understand What would make people view an organization or a business that uses AI positively?

This will be a workshop style interactive session.

Join Sue Johnston and make CI your superpower in this fast moving AI world of work and business...As someone who understands the need for Reinvention she founded Reinventure Australia in 2016. Her latest start up “Digital Invincibles” has come about due to the need for a heart centred company to make people the top consideration in any digital transition or transformation.

Sue is a proud Rocky and CQU alumnus who started her career at Stanwell Power Station, set up a profitable private training company and went on to lead the Qld Governments Rockhampton regional office of Tourism, Small Business and Industry.

Whilst working in Rocky , she was part of a development program conducted by the Dept of State Development in the field of regional and economic development taking her to the USA to gain best practice approaches.

In the late 90' and early 2000's she was committed to getting "Rocky on the Radar" and provided collaborative leadership in the investment attraction for the defence, mining, professional services and education sectors in particular. She relocated to SA due to her husband's work and any chance to get back to Rocky she jumps at! In SA she has worked in consulting ranging from executive education, infrastructure planning, business advisory, digital marketing and AI in the Customer Experience.

She is also a part-time MBA lecturer for Australia's number 1 on-line MBA and runs lectures on the future of work and the importance of human connection combined with digital communication to grow sustainable communities and businesses.

**SPONSORSHIP OPPORTUNITY -
CAPRICORNIA CHAMBER OF
COMMERCE - ARTIFICIAL
INTELLIGENCE WORKSHOP**

**Capricornia Chamber of Commerce
Sponsorship Request**

Meeting Date: 23 April 2024

Attachment No: 2



Capricornia Chamber of Commerce
PO Box 8318
ALLENSTOWN QLD 4702

15 April 2024

Dear Wade and Amanda,

I hope this letter finds you well. On behalf of the Capricornia Chamber of Commerce, I am writing to request sponsorship for an upcoming event titled "Keeping Rocky on the Radar in the Age of AI." This event aims to bring together business leaders, professionals, and community members to discuss the impact of artificial intelligence on our region, featuring renowned speaker Sue Johnston.

We are seeking sponsorship in the amount of \$3000 + GST to assist with our keynote speaker's fee.

In addition to seeking your support for this event, we are also actively seeking sponsorship from other parties to cover accommodation and airfares for our keynote speaker. The Chamber itself will cover venue hire, marketing, and other logistical costs.

We anticipate a turnout of between 30-60 attendees, comprising Chamber members, local businesses, and individuals interested in the topic. To ensure accessibility, we plan to charge a nominal fee of \$25 for Chamber members and \$40 for non-members.

We believe that your sponsorship of this event would not only provide valuable support to the Chamber but also showcase your commitment to advancing innovation and knowledge sharing in our community.

We kindly request that you consider our proposal and inform us of your decision at your earliest convenience. Should you have any questions or require further information, please do not hesitate to contact me directly on 0417 767 186.

Thank you for considering our request. We look forward to the possibility of working with you to make this event a success.

Sincerely,

Jason Foss
President
Capricornia Chamber of Commerce
M 0417 767 186
E president@capricorniachamber.com.au
W www.capricorniachamber.com.au

Capricornia Chamber of Commerce Inc
ABN 32 181 978 688

- 1 -

11.4 INDIGENOUS LAND USE AGREEMENT (ILUA) REVIEW WITH DARUMBAL

File No:	1651
Attachments:	1. ILUA - Darumbal 2. ILUA Factsheet
Authorising Officer:	Kerri Dorman - Administration Supervisor Alicia Cutler - General Manager Community Services
Author:	Melanie Emery - Community Relationship Officer

SUMMARY

The purpose of this report is to nominate representatives to form the Consultative Committee for the Indigenous Land Use Agreement (ILUA) review between Rockhampton Regional Council, Livingstone Shire Council and the Darumbal People.

The Consultative Committee will not be a statutory committee of the Local Governments but will operate as a formal consultative committee between the Darumbal People, Livingstone Shire Council and Rockhampton Regional Council.

OFFICER'S RECOMMENDATION

THAT the Communities and Heritage Portfolio Councillor and General Manager of Community Services be appointed as Rockhampton Regional Council's representatives on the Consultative Committee for the Indigenous Land use Agreement between the Darumbal People, Rockhampton Regional Council and Livingstone Shire Council.

COMMENTARY

An Indigenous Land Use Agreement (ILUA) is an agreement between native title parties and other people or bodies about the use and management of areas of land/or waters. An ILUA can be made over areas where:

- native title has been determined to exist in at least part of the area,
- a native title claim has been made,
- no native title claim has been made.

While registered, ILUA's bind all native title holders to the terms of the agreement. ILUAs also operate as a contract between the parties.

The current Indigenous Land Use agreement is due for review. Discussions with Darumbal are that it would be good to instigate the formal Consultative Committee that is referred to in ILUA as the way forward to commence the review. Timeframes on the completion of the review are at this stage uncertain at this stage, however it is nominated as an action item for the Draft Operational Plan for 24/25.

Rockhampton Regional Council is required to nominate 2 representatives (an elected Council representative and an Officer) to participate at these Consultative Committee meetings alongside Livingstone Shire Council representatives and Darumbal representatives. The Local Government is to provide administrative support for the Committee.

BACKGROUND

Rockhampton Regional Council recognises that the Darumbal people are traditional owners of land and waters which have been occupied and cared for by their ancestors for countless generations.

The Darumbal People continue to occupy and care for country in accordance with their traditional laws and customs. As Traditional Owners they have traditional rights and responsibilities for Country.

Rockhampton Regional Council commits to work together to recognise each other's rights and interests and to help each other meet their responsibilities. Together we will:

- better care for country;
- find ways to help protect the special rights and interests of the Darumbal People as Traditional Owners;
- look after the needs of all local people; and
- live together and support each other for the benefit for the whole community.

The ILUA agreement between the Darumbal People, Rockhampton Regional Council and Livingstone Shire Council was registered on 23/12/2016. The agreement takes effect as a contractually binding agreement between the Parties from the Execution Date and continues unless the Agreement is terminated. The agreement covers about 14842.3sq km.

Please see attached map of areas.

PREVIOUS DECISIONS

At Ordinary Council Meeting held on 24 May 2016, Council resolved that:

- (a) *Having reviewed the terms of the settled Indigenous Land Use Agreement (ILUA) between the registered native title claimants for Native Title Determination Application QUD6131/1998 (Darumbal People) and Local Government, a copy of which was tabled at Council's ordinary meeting on 24 May 2016, Council authorises the Mayor and Chief Executive Officer to sign the settled ILUA on Council's behalf.*
- (b) *Council authorises the Chief Executive Officer to endorse on its behalf any changes made to the ILUA prior to execution on the basis that such changes do not adversely affect Council's interests*

BUDGET IMPLICATIONS

Potential budget implications associated with activities implemented in *clause 43 – Agreed Policies and Programs* of the attached Darumbal ILUA.

LEGISLATIVE CONTEXT

Area Agreement under Subdivision C Division 3 Part 2 of the Native Title Act 1993.

[Native Title Act 1993](#)

[Native Title Act 1993 \(QLD\)](#)

LEGAL IMPLICATIONS

The nominees will work within the terms of the existing ILUA.

CORPORATE/OPERATIONAL PLAN

2022-2027 Corporate Plan Goal 2.3.3 - We acknowledge and celebrate the Regions cultural diversity.

Code	Action	Target	Councillor Portfolio	Tracking Status	Responsible Section
2.3.3.1	Undertake a review of Council's existing Indigenous Land Use Agreement (ILUA) with Darumbal People Aboriginal Corporation, and develop regular and formal engagement with our Traditional Land Owners.	Develop regular and formal engagement with the Traditional Owners of Land and monitor the progress of ILUA arrangements and present report to Council every quarter.	Communities and Heritage		Office of the CEO Directorate

CONCLUSION

Darumbal have committed to meet with Rockhampton Regional Council's Consultative Committee representatives to discuss a review of the ILUA.

Rockhampton Regional Council is required to nominate 2 representatives to participate at these Consultative Committee meetings alongside Livingstone Shire Council representatives and Darumbal representatives.

It is recommended that Council's Communities and Heritage Portfolio Councillor and Community Services General Manager be nominated as Rockhampton Regional Council's representatives.

INDIGENOUS LAND USE AGREEMENT (ILUA) REVIEW WITH DARUMBAL

ILUA - Darumbal

Meeting Date: 23 April 2024

Attachment No: 1

**Darumbal People, Livingstone Shire Council and
Rockhampton Regional Council
Indigenous Land Use Agreement**

**ALAN DOUGLAS HATFIELD, WARREN JOHN MALONE, RODNEY
WILLIAM MANN, VANESSA ROSS, AMANDA MEREDITH AND
PAULINE CORA ON THEIR OWN BEHALF AND ON BEHALF OF THE
DARUMBAL PEOPLE**

LIVINGSTONE SHIRE COUNCIL

ROCKHAMPTON REGIONAL COUNCIL

DARUMBAL PEOPLE ABORIGINAL CORPORATION, ICN 8405

An Area Agreement under Subdivision C
Division 3 Part 2 of the Native Title Act 1993

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*Background***DARUMBAL PEOPLE, LIVINGSTONE SHIRE COUNCIL AND ROCKHAMPTON REGIONAL COUNCIL INDIGENOUS LAND USE AGREEMENT**

Parties: ALAN DOUGLAS HATFIELD, WARREN JOHN MALONE, RODNEY WILLIAM MANN, VANESSA ROSS, AMANDA MEREDITH AND PAULINE CORA ON THEIR OWN BEHALF AND ON BEHALF OF THE DARUMBAL PEOPLE

"NATIVE TITLE PARTY"

LIVINGSTONE SHIRE COUNCIL

"LIVINGSTONE COUNCIL"

ROCKHAMPTON REGIONAL COUNCIL

"ROCKHAMPTON REGIONAL COUNCIL"

DARUMBAL PEOPLE ABORIGINAL CORPORATION, ICN 8405

"BODY CORPORATE"

Background:

- A.** The *Native Title Party* represents the *Darumbal People*. The *Darumbal People* are Traditional Owners of land and waters which have been occupied and cared for by their ancestors for countless generations.
- B.** The *Darumbal People* continue to occupy and care for country in accordance with their traditional laws and customs. As Traditional Owners they have traditional rights and responsibilities for country. To recognise some of those rights and to help meet some of those responsibilities, the *Native Title Party* has lodged a *Native Title Claim* over some of their country for and on behalf of the *Darumbal People* and asserts that the native title rights and interests exist in relation to the *ILUA Area*.
- C.** The *Body Corporate* Darumbal People Aboriginal Corporation ICN 8405 is a corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and one of its objects is to be and perform the functions of a Prescribed Body Corporate (and following registration as a *Registered Native Title Body Corporate*, the functions of a *Registered Native Title Body Corporate*) holding *Native Title*.
- D.** *Livingstone Shire Council* and *Rockhampton Regional Council* represents much of the local community in the *ILUA Area*. In this Agreement they are individually called the "*Local Government*" and collectively called the "*Local Governments*". Like the *Darumbal People* they have certain interests, rights and responsibilities in relation to land and waters within their *Local Government* area. Those rights and responsibilities also involve caring for country. As well, the *Local Governments* must provide many of the community services and facilities for the people who live in the area (including the *Darumbal People*).
- E.** The *Darumbal People* and the *Local Government* agree that they should work together to recognise each other's rights and interests and to help each other meet their responsibilities. Together they can:-
- better care for country;
 - find ways to help protect the special rights and interests of the *Darumbal People* as Traditional Owners;
 - look after the needs of all local people; and
 - live together and support each other for the benefit of the whole community.
- F.** This *Agreement* is a record of how the *Darumbal People* and the *Local Government* will work together. It is a living document and part of an ongoing relationship between the *Parties*.

What does the Agreement contain?

This *Agreement* contains four Parts:

Part 1 - Preliminary - This Part mostly contains technical information about how the *Agreement* works.

Part 2 - Resolving the Native Title Claim - This Part sets out how the *Local Governments* can help resolve the *Native Title Claim* and how the *Native Title* of the *Darumbal People* and the interests of the *Local Government* will co-exist if *Native Title* is recognised by the Federal Court of Australia.

Part 3 - Native Title Compliance - Some *Activities* by the *Local Governments* may affect *Native Title*. This Part sets out how those *Activities* can be done validly with the consent of the *Native Title Party*.

Part 4 - Other Outcomes - The *Local Government* and the *Darumbal People* agree on a range of other things to help them meet mutual aspirations, benefit the local community and ensure ongoing communication between the *Parties*. Details are recorded in this Part.

To help the *Parties* understand and implement the *Agreement*, this document uses plain language. Because it is also a legal document, the meanings of some words and phrases in the *Agreement* need to be very clear. Words and phrases of that kind are shown in italics and detailed meanings are contained in Schedule 1.

How does the Agreement relate to the Native Title Claim?

Upon *Registration* this *Agreement* will constitute an "area agreement" indigenous land use agreement under the *Native Title Act*. It has been entered into between the *Parties* before the *Native Title Claim* is finalised.

The *Local Governments* will support the *Darumbal People*, in the way described in the *Agreement*, in seeking an outcome to the *Native Title Claim* which recognises *Native Title*.

No matter how the *Native Title Claim* is finalised, the *Local Governments* and the *Darumbal People* want the relationship they have established through the development of this *Agreement* to continue. Some aspects of the *Agreement* will need to be implemented on an ongoing basis. Nothing in the *Agreement* prevents the *Local Governments* from entering into other agreements with the *Darumbal People*. It is likely that, over time, each *Local Government* and the *Darumbal People* will want to deal with new matters outside this *Agreement*.

PART 1 - PRELIMINARY

Introduction - Part 1 sets out the terms on which the *Parties* have agreed to some technical and other preliminary issues such as the following:

- What areas of land and waters are covered by the *Agreement* and what happens if the *Claim Area* changes.
- Recognition of traditional ownership and confirmation that the *Native Title Party* is *Authorised* to complete the *Agreement*.
- The *Body Corporate* appointed to represent the *Darumbal People* before the *Native Title Claim* is determined or a *Registered Native Title Body Corporate* is appointed to take on that role after the *Native Title Claim* is determined.
- How *Disputes* relating to the *Agreement* should be resolved.
- How the *Parties* can give *Notice* to each other for purposes of the *Agreement*.
- Other technical points.

1. DEFINITIONS AND INTERPRETATION

- 1.1 Schedule 1 contains a dictionary setting out the meanings of words and phrases used in the *Agreement*. The defined words and phrases are mostly shown in italics throughout the *Agreement*.
- 1.2 In this *Agreement* unless inconsistent with the context or subject matter:-
- (a) a reference to a person includes any other legal entity;
 - (b) a reference to a legal entity includes a person;
 - (c) words importing a singular number include a plural number;
 - (d) words importing a plural number include a singular number;
 - (e) clause headings are not part of the clause or sub-clause to which they relate;
 - (f) where any word or phrase is given a defined meaning, any other grammatical form concerning the word or phrase has a corresponding meaning;
 - (g) a reference to a statute includes all subordinate legislation and amendments;
 - (h) a reference to repealed legislation includes a reference to any legislation replacing the repealed legislation;
 - (i) references to writing include any means of representing or reproducing words in tangible and permanently visible form and includes email and fax;
 - (j) except as otherwise set out in this *Agreement*, an obligation of two or more *Parties* binds them jointly and each of them severally;
 - (k) an obligation incurred in favour of two or more *Parties* is enforceable by them severally;
 - (l) where time is to be reckoned from a day or event, the day or the day of the event must be excluded;
 - (m) a reference to a business day means any day on which trading banks are open for business in Queensland;

Part 1 - Preliminary

- (n) if any time period specified in this *Agreement* expires on a day which is not a business day, the period shall expire at the end of the next business day;
 - (o) a reference to a month means a calendar month; and
 - (p) words and expressions defined in the *Aboriginal Cultural Heritage Act* or the *Native Title Act* have the same meaning in the *Agreement* unless those words and expressions are given a separate definition in the *Agreement*.
- 1.3 Subject to sub-clause 1.2 words and phrases not defined in Schedule 1 have their ordinary meaning.
- 1.4 The explanatory notes on pages 6 and at the commencement of each Part of the *Agreement* and the footnotes throughout the *Agreement*, are for explanation purposes only.
- 1.5 A reference in this *Agreement* to a corporation, institute, association, department or other body or entity will, if it ceases to exist or to perform duties of the nature performed by it at the *Execution Date*, or if it is reconstituted, renamed or replaced or if its powers or functions are transferred to or taken over or substantially succeeded to by another corporation, institute, association, department or other body or entity, be a reference to the latter corporation, institute, association, department or other body or entity.
- 1.6 This document takes effect as a Deed.
- 2. DURATION OF PART 1**
- 2.1 Part 1 commences on the *Execution Date*.
- 2.2 Part 1 applies indefinitely unless and until the *Agreement* is *Terminated*.
- 3. RECOGNITION AS TRADITIONAL OWNERS**
- 3.1 The *Local Governments* recognise that the *Darumbal People* are the Traditional Owners of the *ILUA Area*.
- 3.2 The *Local Governments* acknowledge and value the unique cultural, spiritual and historical associations of the *Darumbal People* as the Traditional Owners of the *ILUA Area*.
- 3.3 The *Local Governments* acknowledge that the *Darumbal People* have traditional laws and customs which are central to their cultural identity and of importance to the history and character of the local community.
- 4. AREA COVERED BY AGREEMENT**
- 4.1 This *Agreement* is upon *Registration* an indigenous land use agreement (area agreement) under Subdivision C of Division 3 of Part 2 of the *Native Title Act* in relation to the *ILUA Area*.
- 4.2 The *Agreement* covers the *ILUA Area*.
- 5. AREA NOT COVERED AND FUTURE AGREEMENT**
- 5.1 This *Agreement* does not cover that part of the *Claim Area* described as "Darumbal Part B" in the Orders made by Justice Collier on 27 March 2013.
- 5.2 The *Parties* agree to enter into a separate indigenous land use agreement which adopts to the extent practicable the terms of this *Agreement* for the *Claim Area* described as "Darumbal Part B" and that falls within the area administered by one or

Part 1 - Preliminary

more of the *Local Governments*, when this part of the native title claim proceedings is further progressed.

6. NATIVE TITLE PARTY'S AUTHORITY

- 6.1 The *Native Title Party* represents the *Darumbal People*.
- 6.2 Upon a *Successful Determination*, the *Native Title Party* agrees that the *Body Corporate* is the *Registered Native Title Body Corporate* and upon request by the *Local Government* will direct the *Registered Native Title Body Corporate* to enter into this *Agreement* on behalf of the *Native Title Holder*.
- 6.3 The *Registered Native Title Body Corporate* will enter into this *Agreement* on behalf of the *Native Title Holder* as directed under clause 6.2.
- 6.4 The *Native Title Party* warrants that they are *Authorised* by the *Darumbal People* to enter into the *Agreement*.
- 6.5 The *Native Title Party* warrants that they:-
 - (a) have informed the *Native Title Representative Body* in writing of their intention to enter into the *Agreement*; and
 - (b) have complied with all of the requirements of the *Native Title Act* and the *ILUA Regulation* for the purpose of entering into the *Agreement*.
- 6.6 The *Parties* agree that:-
 - (a) the *Local Governments* may apply to *Register* the *Agreement* under the *Native Title Act*; and
 - (b) they will do everything reasonably necessary to achieve and maintain *Registration* of the *Agreement*.

7. REGISTERED NATIVE TITLE BODY CORPORATE

- 7.1 A purpose of a *Registered Native Title Body Corporate* is to ensure that there is a perpetual corporate entity which can represent all of the *Darumbal People* and it will provide a single point of contact and a channel for communication between the *Local Government* and all of the *Darumbal People*.
- 7.2 A *Registered Native Title Body Corporate* may also be given the role of an Aboriginal cultural heritage body under the *Aboriginal Cultural Heritage Act*.
- 7.3 The *Body Corporate* has been nominated by the *Darumbal People* to be the *Registered Native Title Body Corporate* upon a *Successful Determination*.
- 7.4 Until the *Registered Native Title Body Corporate* enters into the *Agreement* and assumes these responsibilities; the *Body Corporate* will handle matters for the *Darumbal People* under this *Agreement*.
- 7.5 Where it is proposed by the *Registered Native Title Body Corporate* that another corporation carrying out its functions under the *Native Title Act* and for purposes of this *Agreement* the *Registered Native Title Body Corporate* will, if requested by a *Local Government*, do everything reasonably possible to arrange for the corporation to enter into a *Deed* with the *Local Government* under which it will be contractually bound to the terms of this *Agreement* in the same way as the *Darumbal People* and *Registered Native Title Body Corporate*.

7.6 The *Nominated Body Corporate Notice* and any other written *Notice* under this clause must be signed by the *Registered Native Title Body Corporate*.

7.7 The *Darumbal People* will keep the *Local Government* informed about the *Registered Native Title Body Corporate* role and any other matters affecting the ability of the *Registered Native Title Body Corporate* to represent the *Native Title Holder* and the *Darumbal People* for purposes of this *Agreement*.

8. LOCAL GOVERNMENT BENEFITS

8.1 The benefits of the *Agreement* are available to the *Local Government* and any *Third Party* for the benefit of one or more of them.

Example - The consent of the *Parties* under Part 3 a may apply to *Activities* which are undertaken by a *Third Party* on the *Local Government's* behalf. A *Local Government* should take all reasonable measures to ensure a *Third Party* is familiar with any part of this *Agreement* that relates to such *Activities*.

8.2 The *Agreement* does not bind a *Third Party*.

9. RELEVANT LAW

9.1 The laws of Queensland and the laws of the Commonwealth of Australia which are in force in Queensland govern the *Agreement*.

9.2 If matters under the *Agreement* need to be brought before the courts, the *Parties* accept the jurisdiction of the courts of Queensland and tribunals of Queensland and relevant Commonwealth courts and Commonwealth tribunals which are able to hear appeals from them, including any courts or tribunals which are able to hear appeals from the court or tribunal of first instance or from any appellate court or tribunal.

10. BINDING ON SUCCESSORS

10.1 This *Agreement* benefits and binds the *Local Governments* and its successors and any person to whom the *Agreement* is assigned.

10.2 This *Agreement* benefits and binds the *Native Title Party* and, to the greatest extent possible, the *Darumbal People* and their heirs, executors, successors and persons to whom the *Agreement* is assigned.

10.3 Where a corporation or a *Registered Native Title Body Corporate*:-

(a) is a party to this *Agreement* or has been appointed by *Notice* under Clause 7; or

(b) a corporation or the *Registered Native Title Body Corporate* has entered into a Deed of the kind referred to in sub-clause 7.5.

the *Agreement* binds the corporation and the *Registered Native Title Body Corporate* to the greatest extent possible as if it were the *Native Title Party*.

11. SEVERANCE

11.1 Where a provision of the *Agreement* is void or unenforceable it must be severed from the *Agreement*.

11.2 The provisions of the *Agreement* which are not void or unenforceable are unaffected by the severance.

12. COUNTERPARTS AND FACSIMILE

12.1 The *Agreement* may be executed in any number of counterparts.

Part 1 - Preliminary

- 12.2 Communication of the fact of execution from one *Party* to another may be made by sending evidence of execution by fax or a scanned copy of the original sent by email.

13. REVIEW

- 13.1 The *Parties* will meet to review the *Agreement*, assess its operation and consider any alterations to improve the *Agreement* at an agreed date which falls within twelve months of the fifth anniversary of the *Execution Date*.¹

- 13.2 Where the *Parties* meet for purposes of sub-clause 13.1 they must, unless otherwise agreed:-

- (a) review the *Agreement* to identify what works effectively, what could be improved and whether agreement can be reached on any amendments to the *Agreement* suggested by a *Party*;
- (b) consider whether a further review mechanism for the *Agreement* would be appropriate;
- (c) formalise any arrangements for a further review mechanism if one is agreed (for example, by amending the *Agreement* or entering into another agreement providing for the further review);² and
- (d) minute the discussion and decisions made and distribute the minutes to the *Parties*.

- 13.3 Where the *Parties* agree, they may review the *Agreement* at any time.

14. AMENDMENT OF ILUA

- 14.1 Where the *Parties* propose to change the *Agreement* they will jointly consider the following:-

- (a) whether the change can best be made by amending the *Agreement*;
- (b) whether the change can best be made by entering into another agreement;
- (c) the requirements of any *Law* at the time of the change, particularly in relation to any consequential need to change the *Registration* of the *Agreement*; and
- (d) whether an application (for example, any relevant application under the *Native Title Act*) is required for the *Registration* of any changes made to the *Agreement* and how any such application would be made.

- 14.2 Any changes to Parts 1, 2, 3 and 4 of the *Agreement* are agreed by the *Parties* to have no greater effect on *Native Title* than does this *Agreement*.

15. DURATION

- 15.1 This *Agreement* takes effect as a contractually binding agreement between the *Parties* from the *Execution Date* and continues unless and until the *Agreement* is *Terminated*.

- 15.2 This Agreement is made up of 4 Parts and in certain circumstances some Parts no longer apply. For clarification:-

- (a) Part 2 no longer applies in the circumstances in sub-clause 25.2;

¹ This means that the review would take place within 5 years of the *Execution Date*.

² Another agreement providing for a review could take the form of an exchange of letters but consider seeking professional advice at the time.

- (b) Part 3 no longer applies in the circumstances in sub-clause 35.3; and
- (c) Parts 1 and 4 continue indefinitely unless the *Agreement* is *Terminated*.

16. TERMINATION

16.1 The *Agreement* may be *Terminated* by agreement in writing of the *Parties*.

16.2 Where:-

- (a) the *Native Title Claim*:-
 - i) results in an *Unsuccessful Determination*; or
 - ii) is either struck out, dismissed or discontinued; and
- (b) a native title claim is made on behalf of persons other than the *Darumbal People* over the *ILUA Area* and is included in the *Register of Native Title Claims*

any *Party* may:-

- (c) request the other *Parties* to consult about the change in circumstances brought about by another native title claim being included in the *Register of Native Title Claims*; or
- (d) *Terminate* the *Agreement* by giving *Notice* in writing to each of the other *Parties*, in which case:
 - i) where the *Native Title Party* gives *Notice* to the *Local Governments* - the *Agreement* is *Terminated* when the last *Notice* is received by one or more the *Local Governments*; or
 - ii) where one or more of the *Local Governments* give *Notice* to the *Native Title Party* - the *Agreement* is *Terminated* when the first *Notice* is received by the *Native Title Party*.

17. DISCHARGE BY AGREEMENT

17.1 Where:-

- (a) the *Native Title Claim* is:
 - i) either struck out, dismissed or discontinued with respect to part or all of the *ILUA Area*; and
 - ii) a native title claim is made on behalf of persons other than the *Darumbal People* over part of the *ILUA Area* and is included in the *Register of Native Title Claims* in respect of that area (called the "discrete ILUA area");
- (b) there is an *Unsuccessful Determination* with respect to part of the *ILUA Area* (called the "discrete USD Area"); or
- (c) the *Native Title Party* or their successor is no longer the *Aboriginal Party* for part of the *Cultural Heritage Area* (called the "discrete cultural heritage area")

each of the *Local Governments* that has interests in all or part of either the discrete ILUA area, the discrete USD area or the discrete cultural heritage area (the "notifying local government"), may at its discretion give *Notice* to the *Native Title Party* that:

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- (d) it is no longer bound by the Parts of the *Agreement* specified in the *Notice* to the extent these Parts apply to the discrete ILUA area, the discrete USD area or the discrete cultural heritage area; or
 - (e) it is no longer bound by the *Agreement* as the area covered by the notifying local government's jurisdiction³ does not include any part of the remaining *ILUA Area* or *Cultural Heritage Area*.
- 17.2 The notifying local government is discharged from its corresponding obligations under the *Agreement* to the extent specified in the *Notice* when the *Native Title Party* receives the *Notice* given under paragraph 17.1(d).
- 17.3 The notifying local government is no longer a *Party* to the *Agreement* and is discharged from all its obligations under the *Agreement*, when the *Native Title Party* receives the *Notice* given under paragraph 17.1(e).

18. EFFECT OF TERMINATION OR DISCHARGE

- 18.1 Where the *Agreement* is either *Terminated* or one or more of the *Local Governments* gives *Notice* under sub-clause 17.1:-
- (a) anything already done under the *Agreement* continues to have the benefit of being done under the *Agreement*;
 - (b) any liabilities already incurred under the *Agreement* are unaffected;
 - (c) a *Party* entitled to a remedy under the *Agreement* can still pursue the remedy as if the *Agreement* had not been *Terminated* or as if the *Party* continues to be bound by the *Agreement*; and
 - (d) any confidentiality arising from the *Agreement* continues to apply.
- 18.2 If the *Agreement* is *Terminated*, the *Parties* will request that the Native Title Registrar remove the *Agreement* from the *Register of Indigenous Land Use Agreements*.

19. DISPUTE RESOLUTION

- 19.1 All *Disputes* between any of the *Parties* in connection with this *Agreement*, will be dealt with under this clause whether the *Dispute* is first raised before, during or after the *Agreement* is *Terminated*.
- 19.2 The *Parties* agree that they will make every reasonable effort to avoid *Disputes*.

Dispute Notice

- 19.3 Where a *Dispute* relating to the *Agreement* arises between the *Native Title Party* and one or more of the *Local Governments* (called the "*Parties in Dispute*"), a *Party* may commence the dispute resolution process under this clause by giving a written *Notice* (called a "*Dispute Notice*") to the other *Party* describing the *Dispute* and any other matters that may, in the reasonable opinion of the notifying *Party*, be relevant to resolving the *Dispute*.
- 19.4 Within 14 days of receipt of the *Dispute Notice*, the other *Parties in Dispute* will provide a written response (called a "*Notice of Response*") stating their position in relation to the *Dispute* described in the *Dispute Notice*.
- 19.5 Within 14 days of receipt of the *Notice of Response*, the *Parties in Dispute* must take all reasonable steps to attempt to resolve the *Dispute* directly between them.

³ This is a reference to the local government area of the notifying local government.

Mediation

- 19.6 If a *Dispute* remains unresolved for 28 days after a *Dispute Notice* is given and a Party in Dispute so requests, the following steps will be taken:-
- (a) the Parties in Dispute will seek to agree within two (2) days on the identity of a mediator of recognised high reputation and familiarity with the matter in *Dispute* to provide mediation of the *Dispute*; and
 - (b) if the Parties in Dispute cannot agree on a mediator, a party may request that the President of the Queensland Law Society (called the "President") nominate a mediator of recognised high reputation and familiarity with the matters in *Dispute*, to mediate the *Dispute*. The request will include copies of the *Dispute Notice* and Notice of Response and include a request that the President appoint a mediator as soon as possible and that the President advise the Parties in Dispute of the appointment.
- 19.7 Once a mediator is appointed, the Parties in Dispute will participate in mediation in good faith and will reasonably cooperate with the mediator with a view to resolving the *Dispute* on agreed terms.
- 19.8 Any information or documents obtained through or as part of the reference to mediation will not be used for any purpose other than resolving the *Dispute* under this clause.

Costs of Mediation

- 19.9 Each Party in Dispute will bear their own costs of mediation and they will equally share the costs of the mediator.

Unsuccessful Mediation

- 19.10 If the mediation does not resolve the *Dispute* within 60 days after a *Dispute Notice* is given, a Party in Dispute may either:-
- (a) commence proceedings in any court or tribunal of competent jurisdiction; or
 - (b) refer the *Dispute* for an expert determination pursuant to this clause.
- 19.11 Where a *Party* has commenced proceedings in any Court or Tribunal, the Parties in Dispute must agree before the *Dispute* can be referred for an expert determination.

Expert Determination

- 19.12 If a *Dispute* is referred to expert determination, the Parties in Dispute will seek to agree within two (2) days on the identity of a particular person of recognised high reputation and familiarity with the matters in *Dispute* to be appointed as the expert.
- 19.13 If the Parties in Dispute cannot agree on an expert, a *Party* may request the President to appoint an expert who is of recognised high reputation and familiarity with the matters in *Dispute*. The request will include copies of the *Dispute Notice* and *Notice of Response* and include a request that the President appoint the expert as soon as possible and that the President advise the *Parties* in writing of the appointment.

Replacement of Expert

- 19.14 The Parties in Dispute may agree to appoint a substitute expert in accordance with the procedure under this clause if:-
- (a) The appointed expert:
 - i) dies;

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- ii) resigns; or
 - iii) the appointment is terminated during the expert determination either under sub-clause 19.16 or by a *Notice* signed by the Parties in *Dispute*.
- (b) The Parties in Dispute consider the estimate of the appointed expert's costs (provided under sub-clause 19.18) excessive and agree to appoint a different expert.

Disclosure by Expert

- 19.15 If the expert becomes aware at any stage of any circumstance that might reasonably be considered to adversely affect the expert's capacity to act independently or impartially, the expert will inform the Parties in Dispute immediately.
- 19.16 In such circumstances, the appointment of the expert is deemed to be terminated unless the Parties in Dispute agree otherwise.

Role and Powers of the Expert

- 19.17 The expert will:-
- (a) act as an expert and not as an arbitrator;
 - (b) act independently of, and act fairly and impartially as between the *Parties*, giving each party a reasonable opportunity to present its case, respond to any opposing submissions and make submissions on the procedure proposed for the expert determination;
 - (c) proceed in any reasonable manner the expert thinks fit;
 - (d) determine whether it is appropriate to recommend that the Parties in Dispute bring in legal or other technical expertise to assist in the fair determination of the *Dispute*;
 - (e) conduct any investigation which the expert considers necessary to resolve the *Dispute*;
 - (f) require any Party in Dispute to reasonably provide or make available to the expert anything in their possession, or under their control, which the expert considers is reasonably necessary to assist in the fair determination of the *Dispute*;
 - (g) examine such documents and interview such persons as the expert may require; and
 - (h) make such directions for the conduct of the expert determination as the expert considers necessary.

Preliminaries to Expert Determination

- 19.18 Within 14 days after the expert has been appointed, the expert will provide the Parties in Dispute with an estimate of the expert's fees and disbursements relating to the expert determination (called the "Estimate").
- 19.19 Unless otherwise agreed the Parties in Dispute will provide the expert with a security deposit in the amount of the Estimate, in a form acceptable to the expert.
- 19.20 The Parties in Dispute will comply with any procedural directions which the expert may give.

Representation for Expert Determination

- 19.21 A Party in Dispute may be represented in the expert determination by a legal representative and can be assisted by other persons with information or knowledge relevant to the expert determination.

Conduct of Expert Determination

- 19.22 The Parties in Dispute will take all reasonable measures to ensure the expeditious and cost-effective conduct of the expert determination.

Confidentiality and Expert Determination

- 19.23 Confidential information disclosed by the Parties in Dispute or by others participating in the expert determination will not be divulged by the expert unless authorised in writing by the parties.

- 19.24 The Parties in Dispute will not require the expert to divulge any records, reports or other documents received while serving in that capacity or to testify about the expert determination in any legal proceedings.

Determination of Expert

- 19.25 The determination of the expert:-
- (a) will be in writing and accompanied by reasons;
 - (b) will be final and binding; and
 - (c) is not an arbitration.

Costs of Expert Determination

- 19.26 Each Party in Dispute will:-
- (a) meet their own costs associated with an expert determination; and
 - (b) equally share the expert's costs and outlays of providing the expert determination.

Payment of Interest

- 19.27 Unless otherwise agreed by the Parties in Dispute, an expert determination can include the payment of interest as determined by the expert.

No Suspension of Contractual Obligations

- 19.28 The referral of a *Dispute* for expert determination does not suspend the obligations of the Parties in Dispute under the *Agreement*.

20. HOW TO GIVE NOTICE**Notice between Parties**

- 20.1 Any *Notice* which a *Party* is required or wants to give to another *Party* in relation to the *Agreement* will be:-
- (a) made in writing and sent to the recipient's address set out in this clause or as varied by any written *Notice*; and
 - (b) hand delivered, sent by facsimile, pre-paid ordinary mail or email to that address.

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20.2 The address for service of the *Parties* is as follows:-

- (a) If the *Notice* is in response to correspondence - to the address indicated in that correspondence.
- (b) In any other case:

Native Title Party:⁴ PO Box 8581
Allenstown QLD 4700
Email: darumbal.enterprises@bigpond.com

Body Corporate: PO Box 8581
Allenstown QLD 4700
Email: darumbal.enterprises@bigpond.com

Livingstone Shire Council: Chief Executive Officer
Livingstone Shire Council
PO Box 2292
YEPPOON QLD 4703
Ph: 1300 790 919
Email: enquiries@livingstone.qld.gov.au

Rockhampton Regional Council: Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
ROCKHAMPTON QLD 4700
Ph: 1300 225 577
Email: enquiries@rrc.qld.gov.au

20.3 A *Notice* given under this clause is taken to have been received:-

- (a) if hand delivered - on delivery;
- (b) if sent by fax - when the sender receives a receipt of successful facsimile transmission;
- (c) if sent by pre-paid ordinary mail - three business days after the date of posting;
or
- (d) if sent by email - the sender receives a delivery receipt confirming the successful delivery of the email.

Notice to Native Title Body Corporate or Body Corporate

20.4 Any *Notice* to the *Native Title Party* or the *Darumbal People* can be given to the *Body Corporate* or the *Registered Native Title Body Corporate*.

20.5 Where a corporation or *Registered Native Title Body Corporate* has been appointed under Clause 7, any *Notice* under this *Agreement* to the *Native Title Party* or the *Darumbal People* can be given to the corporation or *Registered Native Title Body Corporate*.

20.6 The address for service for a corporation a *Registered Native Title Body Corporate* will be their registered address at the time service is made.

⁴ A *Notice* to the *Native Title Party* can be given to a corporation or *Registered Native Title Body Corporate* appointed under this *Agreement* to represent the *Darumbal People*.

21. EFFECT OF STATUTORY PROVISIONS

- 21.1 The *Agreement* does not affect any rights and powers of the *Local Governments* under *Law* (including the ability of the *Local Governments* to exercise those rights and powers in the *Claim Area*).

22. FORCE MAJEURE

- 22.1 If a *Party* is unable, as a result of a *Force Majeure Event*, to wholly or in part perform an obligation under the *Agreement*, that *Party* must give *Notice* to the other *Parties* including:-

- (a) which obligation the *Party* is unable to perform;
- (b) details of the *Force Majeure Event*;
- (c) reasonable details about the nature and extent of the *Force Majeure Event* and its impact on the *Party's* obligation;
- (d) how long the *Party* is likely to be delayed in meeting the obligation; and
- (e) the steps being taken or proposed to be taken to remedy the incapacity of the *Party* to perform the obligation.

- 22.2 A *Notice* given under the immediately preceding sub-clause suspends the obligation of the *Party* giving the *Notice* to perform the obligation referred to in the *Notice* for the duration of the *Force Majeure Event*.

23. COSTS OF AGREEMENT

- 23.1 Each *Party* will bear its own costs of and incidental to the negotiation, preparation and execution of this *Agreement*.

24. NOT CONFIDENTIAL

- 24.1 The *Parties* agree that there are no restrictions on the disclosure of the terms of the *Agreement* or any related information.

Part 2 – Native Title Claim

PART 2 - RESOLVING THE NATIVE TITLE CLAIM

Introduction - The *Local Government* will work with the *Darumbal People* towards a *Successful Determination* of the *Native Title Claim*. This Part of the *Agreement* sets out the following:

- What the *Parties* will do to try and achieve a *Successful Determination*.
- How any *Determination Orders* will be developed.
- How *Native Title*, the *local government* interests and any *Community Interests* will co-exist in the same area.
- Any other possibilities for how the *Native Title Claim* might be resolved and the position of the *Parties* under each possibility.

Under some of the possibilities the *Native Title Claim* may not result in *Determination Orders* recognising *Native Title*. In that event the *Parties* will still have achieved *Non-Determination Outcomes* - including through Part 3 and Part 4 of the *Agreement*.

25. DURATION OF PART 2

25.1 Part 2 commences on the *Execution Date*.

25.2 Where:-

- (a) the *Native Title Claim* results in a *Successful Determination* or an *Unsuccessful Determination* in relation to the *ILUA Area*;
- (b) all *Native Title* in the *ILUA Area* is surrendered under the *Native Title Act*;
- (c) the *Native Title Claim* is:
 - i) discontinued;
 - ii) struck out; or
 - iii) dismissed by order of the Federal Court of Australia

any *Party* may give *Notice* to the other *Parties* that Part 2 no longer applies.

25.3 Otherwise Part 2 applies indefinitely, unless the *Agreement* is *Terminated*.

26. ILUA COVERS ALL CLAIM RESOLUTION POSSIBILITIES

26.1 The objective of the *Parties* is to conclude the *Agreement* as early as possible in the mediation stage of the *Native Title Claim* and probably before agreement is reached between the *Native Title Party* and other respondents to the *Native Title Claim*.

26.2 Therefore Part 2 of the *Agreement* seeks to accommodate every possible scenario for the final resolution of the *Native Title Claim*.

26.3 Although, at the time the *Agreement* is concluded, it is not known under which of those possibilities the *Native Title Claim* will be finally resolved, the *Parties* have identified the following four possibilities:-

- (a) *Possibility 1 - Consent Determination* - This means *Determination Orders* are made with the consent of all parties to the *Native Title Claim* required for a *Successful Determination*⁵. The *Parties* agree to work towards resolving the *Native Title Claim* under this possibility. Provision for this possibility is made in Clause 27.

⁵ Section 87A of the *Native Title Act* sets out the parties to a native title claim which are required to give notice of their agreement to proposed *Determination Orders* in order for the Federal Court of Australia to be able to make the orders without holding a final hearing.

Part 2 – Native Title Claim

- (b) *Possibility 2 – Contested Final Hearing* - This means that there is no *Successful Determination* by consent and the *Native Title Claim* proceeds in such a way (for example by way of a final hearing before the Federal Court of Australia), that there could ultimately be either a *Successful Determination* or an *Unsuccessful Determination*. Provision for this possibility is made in Clause 28.
- (c) *Possibility 3 - Native Title is Surrendered* - This means that the *Native Title Party* agrees to surrender any *Native Title* in all of the *ILUA Area* to the State of Queensland. Provision for this possibility is made in Clause 29.
- (d) *Possibility 4 - Native Title Claim is Discontinued, Struck Out, or Dismissed* - This means that the *Native Title Claims* are either discontinued by the *Native Title Party*, or struck out or dismissed by order of the Federal Court of Australia. Provision for this possibility is made in Clause 30.

27. POSSIBILITY 1 - CONSENT DETERMINATION

27.1 Subject to this *Agreement*, the *Local Government* will, where it is reasonable to do so, work with the *Native Title Party* and all other parties to the *Native Title Claim* to:-

- (a) seek a *Successful Determination* by consent of all of the required parties to the *Native Title Claim*; and
- (b) seek other *Non-Determination Outcomes* on matters which involve the *Local Government*.

27.2 The commitment in sub-clause 27.1 is subject to the following conditions:-

- (a) A *Successful Determination* must not, in relation to those areas where the *Local Government* has an interest other than a regulatory interest⁶, or there are *Community Interests*, recognise *Native Title* of an *Exclusive* kind.

Note: This does not prevent a *Successful Determination* of an *Exclusive* kind in areas where the *Local Government* does not have any interests and there are no *Community Interests*.
- (b) A *Successful Determination* must contain provisions which recognise the nature and extent of all of the *local government* interests in the *Claim Area* including interests of the kind referred to in this *Agreement*.
- (c) A *Successful Determination* must contain provisions which broadly determine the relationship between the *local government* interests and *Native Title* in a manner consistent with this *Agreement*.
- (d) The State of Queensland must decide to consent to *Determination Orders* for a *Successful Determination*.
- (e) The *Parties* must reach agreement, in a manner consistent with this *Agreement*, about the nature and extent of *Extinguishment* and *Partial Extinguishment* of *Native Title*, if any, in those parts of the *Claim Area* where the *Local Government* has interests and reach agreement about the way any *Extinguishment* and *Partial Extinguishment* is addressed in the *Successful Determination*.
- (f) The *Parties* must reach agreement about the way in which any *Community Interests* are addressed in the *Successful Determination* or in any other legal arrangements relating to a *Successful Determination*.
- (g) The *Agreement* is *Registered*.

⁶ The category of local government interests called "regulatory interests" is set out in paragraph 1 of Schedule 6.

Part 2 – Native Title Claim

- 27.3 After the *Execution Date*, the *Parties* will participate in the *Native Title Claim* where there is a reasonable prospect of a *Successful Determination* in the following ways:-
- (a) The *Native Title Party* will ensure that any draft *Determination Orders* are developed so that they are consistent with this *Agreement*.
 - (b) The *Native Title Party* will provide a copy of the draft *Determination Orders* (and subsequent drafts) to the *Local Government* in a reasonable time.
 - (c) The *Parties* will work with each other and the State of Queensland to complete the draft *Determination Orders* as quickly as reasonably possible and in a way which is consistent with this *Agreement*.
 - (d) Where the *Native Title Party* and the State of Queensland want to consider *Tenure Resolution* proposals or other *Non-Determination Outcomes* additional to those contained in this *Agreement*, the *Local Government* will consider any reasonable request to participate in those matters.
 - (e) The *Local Government* may make suggestions to the *Native Title Party* and the State of Queensland about any *Tenure Resolution* proposals or other *Non-Determination Outcomes* additional to those contained in this *Agreement*.
 - (f) The *Local Government* may remain or withdraw as a party to the *Native Title Claim* at its discretion.
 - (g) Any *Party* may inform the Federal Court of Australia of how the *Agreement* advances the *Native Title Claim* and its implications for a *Successful Determination*.
 - (h) The *Native Title Party* will take reasonable steps to try and conclude the *Native Title Claim* as quickly as possible.
- 27.4 The *Parties* will seek to resolve all issues towards a *Successful Determination* by the following means:-
- (a) Make best endeavours to reach agreement between them.
 - (b) Seek mediation assistance, if required, from the National Native Title Tribunal or any person or body performing mediation functions.
 - (c) Work constructively with the other respondent parties to the *Native Title Claim*.
- 27.5 Where, in completing draft *Determination Orders*, the *Parties* are unable to reach agreement on some issues (for example in relation to *Extinguishment* over a particular area), the *Parties* will reasonably seek to avoid a final hearing of the *Native Title Claim* about those issues by considering use of either or both of the following:-
- (a) Any methods of *Alternative Dispute Resolution* for resolving the issues.
 - (b) Seeking a preliminary decision from the Federal Court of Australia on those issues (for example, through Section 86D(1) of the *Native Title Act* or through Order 29 of the Federal Court Rules).
- 27.6 Where the State of Queensland decides to consent to a *Successful Determination*:-
- (a) the *Local Government* may seek, and if so the *Native Title Party* will provide, a written summary of how *Connection* has been satisfied⁷; and

⁷ As an alternative to providing a written summary of the *Connection* information, the *Native Title Party* at its discretion, may provide representatives of the *Local Government* with access to a full *Connection* report (on reasonable terms as to confidentiality), so that the representatives can advise the *Local Government* on how *Connection* has been satisfied.

- (b) the *Local Government* will not further engage in the *Native Title Claim* process in relation to *Connection* issues.

28. POSSIBILITY 2 – CONTESTED FINAL HEARING

28.1 After the *Execution Date*, the *Parties* will participate in the *Native Title Claim* where there is not a reasonable prospect of a *Successful Determination* by consent of the required parties, in the following ways:-

- (a) The *Local Government* may:
 - i) Remain or withdraw as a respondent party to the *Native Title Claim* at its discretion.
 - ii) Inform the Federal Court of Australia of the implications of this *Agreement* for any contested final hearing of the *Native Title Claim*.
- (b) The *Parties* will participate in any contested final hearing of the *Native Title Claim* in the way set out in the *Agreement*.

28.2 Where the State of Queensland:-

- (a) decides not to consent to a *Successful Determination*; and
- (b) the *Native Title Claim* proceeds to a contested final hearing by the Federal Court of Australia

the *Local Government*:

- (c) may fully participate in the contested final hearing in relation to *Connection* and any other issues relevant to the making of *Determination Orders*; and
- (d) will receive any *Connection* evidence prepared by or on behalf of the *Native Title Party* exclusively for that purpose.

28.3 The *Parties* agree that the contested final hearing will be conducted as follows:-

- (a) The *Parties* may each fully participate, to the extent they each decide for themselves, in the contested final hearing in relation to any issues relevant to the making of *Determination Orders*.
- (b) Other than as provided for by this *Agreement*, the *Parties* may present evidence and make submissions at the contested final hearing as they decide.
- (c) The *Parties* will reasonably cooperate with each other to minimise the time and cost involved in a contested final hearing.
- (d) The *Parties* will reasonably cooperate with, and support each other in relation to:
 - i) *Alternative Dispute Resolution* methods; and
 - ii) Seeking a preliminary decision from the Federal Court of Australia (for example, through Section 86D(1) of the *Native Title Act* or through Order 29 of the Federal Court Rules) about contested issues if that is likely to avoid, or reduce the time and cost involved in, a contested final hearing.
- (e) This *Agreement* may be tendered in evidence by any *Party*.

Part 2 – Native Title Claim

29. POSSIBILITY 3 - NATIVE TITLE IS SURRENDERED

- 29.1 The *Parties* acknowledge that this possibility is only likely to arise in the context of an overall agreement about resolving the *Native Title Claim* between the *Native Title Party* and the State of Queensland and as part of *Non-Determination Outcomes* to the *Native Title Claim* between those parties.
- 29.2 The *Local Government* acknowledge that the surrender of *Native Title* is a decision for the *Native Title Party* and the *Darumbal People*.
- 29.3 Where the *Native Title Party*, the *Darumbal People* and the State of Queensland want to consider:-
- (a) *Tenure Resolution* proposals; or
 - (b) other *Non-Determination Outcomes* additional to those contained in this *Agreement*
- the *Local Government* will consider any reasonable request to participate in those matters.
- 29.4 The *Local Government* may make suggestions to the *Native Title Party* and the State of Queensland about any *Tenure Resolution* proposals or other *Non-Determination Outcomes* additional to those contained in this *Agreement*.

30. POSSIBILITY 4 - NATIVE TITLE CLAIM IS DISCONTINUED, STRUCK OUT, OR DISMISSED

- 30.1 The *Parties* acknowledge that there are various foreseeable and unforeseeable ways in which the *Native Title Claim* could be discontinued, struck out or dismissed and the *Parties* will, where it is reasonable to do so, seek to avoid that.
- 30.2 The *Native Title Claim* could be discontinued, struck out or dismissed as part of *Non-Determination Outcomes* agreed between the *Native Title Party* and the State of Queensland in the context of the mediation of the *Native Title Claim*. In that event, where those parties want to consider:-
- (a) *Tenure Resolution* proposals; or
 - (b) other *Non-Determination Outcomes* additional to those contained in this *Agreement*
- the *Local Government* will consider any reasonable request to participate in those matters.
- 30.3 The *Local Government* may make suggestions to the *Native Title Party* and the State of Queensland about any *Tenure Resolution* proposals or other *Non-Determination Outcomes* additional to those contained in this *Agreement*.

31. NATIVE TITLE CLAIM GROUP INTERESTS

- 31.1 Irrespective of how the *Native Title Claim* is resolved, the *Parties* acknowledge the nature and extent of the *Native Title* asserted by the *Darumbal People*.
- 31.2 The *Parties* agree that at the *Execution Date*, the *Darumbal People* assert native title rights and interests in the *Claim Area* of the kinds described in Schedule 5.
- 31.3 The *Darumbal People* acknowledge that in exercising their *Native Title* that such rights will be qualified by such reasonable limits as prescribed by the Law in relation to the use and occupation of the relevant parcel of land.

32. LOCAL GOVERNMENT INTERESTS

- 32.1 Irrespective of how the *Native Title Claim* is resolved, the *Parties* acknowledge the nature and extent of the *local government* interests in the *Claim Area*.
- 32.2 The *Parties* agree that:-
- (a) the *Local Government* have categories of interests in the *Claim Area* of the kinds described in Schedule 6 and certain specific interests in the *Claim Area* as described in Schedule 6;
 - (b) the relationship between the local government interests and *Native Title* will be as generally as described in Schedule 6;
 - (c) a *Successful Determination* by consent of all the required parties will be consistent with Schedule 6; and
 - (d) where *Determination Orders* are sought through a contested final hearing of the *Native Title Claim* by the Federal Court of Australia, the *Local Government* may present any evidence and the *Parties* will make any submissions consistent with Schedule 6.

33. COMMUNITY INTERESTS

- 33.1 Irrespective of how the *Native Title Claim* is resolved, the *Parties* acknowledge the nature and extent of *Community Interests* which exist in the *Claim Area*.

34. EXTINGUISHMENT

- 34.1 The *Parties* have agreed to accept certain positions on the question of how *Native Title* may have been extinguished in the *ILUA Area* for purposes of Possibility 1 and Possibility 2 under Part 2 of the *Agreement*.
- 34.2 Under Possibility 1 and Possibility 2, except where Section 47, 47A or 47B of the *Native Title Act* apply, the *Parties* agree and will not *dispute* that *Native Title* is:-
- (a) *Extinguished* over areas within the *ILUA Area* where there has been:
 - i) a *Previous Exclusive Possession Act*; and
 - ii) the dedication of a road before 1 January 1994; and
 - (b) *Partially Extinguished* over areas within the *ILUA Area* where there has been a *Previous Non-Exclusive Possession Act*.
- 34.3 Under Possibility 1, where a *Successful Determination* of the *Native Title Claim* by consent of the required parties is proposed:-
- (a) the *Local Government* will limit their position in relation to *Extinguishment* and *Partial Extinguishment* in the *Claim Area* to areas where they contend that *Extinguishment* or *Partial Extinguishment* has occurred in the manner referred to in the immediately preceding clause; and
 - (b) the *Parties* will make best endeavours to reach agreement on the extent of *Extinguishment* and *Partial Extinguishment* in the *Claim Area*.
- Note: This does not limit the position of the *Local Government* where there ceases to be a prospect of a *Successful Determination* by consent such as where the *Native Title Claim* is listed for contested final hearing.

Part 3 – Native Title Compliance

PART 3 - NATIVE TITLE COMPLIANCE

Introduction - *Native Title* is protected by the *Native Title Act*. The *Native Title Act* sets out complex requirements for what must be done to ensure that *Activities* which affect *Native Title* ("*Future Acts*") are done validly. The *Native Title Act* provides the following options:

- The parties to an indigenous land use agreement can consent to *Future Acts* (and validate *Activities* done in the past).
- A *Future Act* for which consent is not given under an indigenous land use agreement can still proceed validly if it is covered by certain provisions in Part 2 Division 3 of the *Native Title Act*.

To help the *Parties* comply with the *Native Title Act*, Part 3 contains un-conditional consents to classes of *Future Acts* (e.g. those which would have only a minor effect on *Native Title*).

Future Acts not covered by this *Agreement* will need to be undertaken by the *Local Governments* in accordance with other applicable provisions in the *Native Title Act*.

The procedures under this Part of the *Agreement* have been negotiated exclusively between the *Native Title Party* and the *Local Governments* as part of the package of outcomes contained in the *Agreement*.

35. DURATION OF PART 3

35.1 Clause 37 in Part 3 commences on the *Execution Date*.

35.2 All other provisions in Part 3 commence on the *Registration Date*.

35.3 Where:-

- (a) the *Native Title Claim* results in an *Unsuccessful Determination*;
- (b) all *Native Title* in the *ILUA Area* is surrendered under the *Native Title Act*; or
- (c) for any other reason there is legal certainty that *Native Title* does not exist anywhere in the *ILUA Area*

any *Party* may give *Notice* to the other *Parties* that Part 3 no longer applies.

35.4 Otherwise Part 3 applies indefinitely unless the *Agreement* is *Terminated*.

36. TECHNICALITIES FOR FUTURE ACTS

36.1 The *Non-Extinguishment Principle* applies to any *Future Acts* that are covered by the *Agreement*.

36.2 Part 2 Division 3 Subdivision P of the *Native Title Act* (which relates to the right to negotiate) does not apply to any *Future Acts* covered by the *Agreement*.

Note: The *Agreement* will not cover the freeholding of land by the State of Queensland to a *Local Government*. That would require *Native Title* to either be compulsorily acquired or surrendered under an indigenous land use agreement to which the State of Queensland is a party. However paragraph 43.1(a) of the *Agreement* does contain a procedure under which compulsory acquisitions of *Native Title* may sometimes be undertaken on an agreed basis.

37. APPLICATION OF LOCAL GOVERNMENT LAWS

37.1 The *Parties* agree that *Native Title* will be exercised in a way which complies with:-

- (a) *Local Laws*; and

- (b) *Local Planning Instruments.*

38. FUTURE ACTS UNDER THIS AGREEMENT

- 38.1 A *Future Act* is covered by the *Agreement* where it is expressly or impliedly done in a manner consistent with the *Agreement*.
- 38.2 A *Future Act* is not covered by the *Agreement* where:-
- (a) it is not done in a manner consistent with the *Agreement*; or
- (b) the *Local Government* states, or otherwise indicates, that it is not covered by the *Agreement*.
- 38.3 Where a *Future Act* is not covered by the *Agreement*, the *Local Government* may seek to proceed with the *Future Act* in any other way that the *Native Title Act* allows.

Note: There are some *Future Acts* which by *Law* cannot be covered by this *Agreement* and where a *Local Government* may seek to proceed in other ways allowed by the *Native Title Act*. For example, under the *Native Title Act* any *Future Act* which requires the agreed surrender of *Native Title*, such as the freeholding of land, would need an indigenous land use agreement to which the State of Queensland is a party. In such a case a *Local Government* could alternatively indicate that they propose to facilitate the freeholding of land through the compulsory acquisition of *Native Title* under Part 2 Division 3 Subdivision M of the *Native Title Act*. In relation to compulsory acquisitions, Clause 43.1 refers to a means by which a compulsory acquisition process could be undertaken in a manner agreed to by the *Native Title Party*.

39. NATIVE TITLE AND ACTIVITIES ON FREEHOLD LAND, EXTINGUISHMENT AREAS AND AREAS WHERE NO SUCCESSFUL DETERMINATION

- 39.1 Where an *Activity* only relates to *Freehold Land* and other *Extinguishment Areas*, the *Parties* agree that for *Native Title* purposes:-
- (a) any *Native Title* will have been *Extinguished* over those areas and *Native Title* will not be affected by the *Activity*; and
- (b) no *Native Title* compliance measures for the *Activity* are required.
- 39.2 When *Determination Orders* have been made in relation to the *Native Title Claim*, where an *Activity* falls within the *ILUA Area* but is not specified in the *Determination Orders* as being the subject of a *Successful Determination*, the *Parties* agree that for *Native Title* purposes either:-
- (a) the terms of sub-clause 39.1 apply; or
- (b) the *Parties* unconditionally consent to the *Activity*.
- 39.3 Compliance measures for an *Activity* in relation to *Aboriginal Cultural Heritage* may still be required for both *Freehold Land* and *Non-Freehold Land* under Part 4 of the *Agreement*.

40. NATIVE TITLE AND ACTIVITIES⁸ ON NON-FREEHOLD LAND AND AREAS WHERE SUCCESSFUL DETERMINATION

Low Native Title Impact Activities

- 40.1 The *Parties* consent to any *Activity* which has a *Low Native Title Impact* (they are described in Schedule 7).
- 40.2 There are no conditions on the consent to an *Activity* which has a *Low Native Title Impact*.

⁸ In the remainder of Part 3 of this *Agreement* the words *Activity* and *Future Act* are interchangeable as a *Future Act* means any *Activity* which affects *Native Title*.

Part 4 – Other Outcomes

PART 4 - OTHER OUTCOMES

Introduction - Other Parts of this *Agreement* contain outcomes on technical aspects of *Native Title*. However the *Parties* believe that, by working together, they can achieve additional, practical outcomes on issues which affect the lives and values of the *Darumbal People* and local communities.

In negotiating agreed outcomes to the *Native Title Claim*, the *Native Title Act* recognises that the *Agreement* "may involve matters other than *Native Title*".⁹

This Part sets out the agreed commitment of the *Parties* to develop and implement policies and programs relating both to the *Darumbal People* and local communities in *Livingstone Shire Council* and *Rockhampton Regional Council*. It also contains arrangements for ongoing communication between the *Darumbal People* and the *Local Governments*.

41. DURATION OF PART

- 41.1 Part 4 commences on the *Execution Date*.
- 41.2 Part 4 applies indefinitely unless the *Agreement* is *Terminated*.

42. OPERATION OF PART 4

- 42.1 Part 4 operates in two ways:-
- (a) Firstly, Clause 43 in conjunction with relevant Schedules, sets out certain locally focussed policies and programs which the *Local Governments* commit to as part of the overall package of outcomes under this *Agreement*.
 - (b) Secondly, as part of a permanent relationship between the *Parties* at the local level, Clause 44 contains a mechanism (called a "*Consultative Committee*") through which the *Parties* seek to meet regularly, communicate effectively and discuss future initiatives.
- 42.2 Although framed as part of a legally binding agreement, the *Parties* acknowledge that for this Part of the *Agreement* to work most effectively the following general principles will need to apply:-
- (a) The *Parties* will show respect for each other.
 - (b) The *Parties* acknowledge that, from time to time, mistakes may be made and points of disagreement may arise, but they will do their best to resolve those things for the purpose of maintaining their relationship.
 - (c) Although Part 2 and Part 3 of the *Agreement* relate exclusively to the *Darumbal People* and the *Local Governments*, some of the policies and programs under Part 4 may benefit the whole local community including all Aboriginal residents.
 - (d) Part 4 of the *Agreement* contributes to a whole package of ongoing outcomes between the *Parties* and therefore addresses matters that are not necessarily related to *Native Title* or *Aboriginal Cultural Heritage*.
 - (e) The *Parties* have negotiated the *Agreement* holistically and have sought to achieve an overall balance between the benefits, responsibilities and compromises which each have accepted or incurred. Therefore no individual part of the *Agreement* should necessarily influence negotiations on any particular matter between the *Native Title Party* and other persons or organisations.

⁹ See Section 86F(i) of the *Native Title Act*.

- (f) The *Parties* each have limitations on their time and resources and will always take those constraints reasonably into account in the way the *Agreement* is implemented.
- (g) The *Parties* acknowledge that the intent is to implement the agreed programs gradually over a number of years.
- (h) The *Local Governments* may not be able to implement some of the new ideas or proposals put forward by the *Native Title Party*, but may be able to play an advocacy or other supporting role.

43. AGREED POLICIES AND PROGRAMS

43.1 The *Local Governments* and the *Darumbal People* commit to the following policies and programs:-

- (a) **Policy on Option for Freeholding Land** - The *Local Governments* adopt a policy of considering the option of agreed native title compulsory acquisitions in some cases as set out Schedule 8.
- (b) **Policy and Programs on Recognition** - Under clause 3 of the *Agreement* the *Local Governments* formally recognise the *Darumbal People* as the Traditional Owners of the *ILUA Area* irrespective of the outcome of the *Native Title Claim*. The *Local Governments* support practical means through which recognition of the *Darumbal People* as Traditional Owners can become more visible and better appreciated by the community as a whole - including by visitors to the *ILUA Area*. The *Local Governments* will work with the *Darumbal People* to implement the following initiatives:
 - i) **Place Names** - A policy to be determined in consultation with the *Consultative Committee* for the naming of certain public places in the *ILUA Area* using the traditional names of the *Darumbal People* for those places or by using other appropriate words drawn from the traditional language of the *Darumbal People*.
 - ii) **Reconciliation Initiatives** - The *Local Governments* will take practical steps to encourage local community recognition of, and participation in significant Aboriginal events (for example: NAIDOC Week, flying the Aboriginal flag) and other Aboriginal recognition and reconciliation initiatives (for example: acknowledgement of historical events or places such as sites of past massacres) developed in consultation with the *Consultative Committee*.
 - iii) **Road Signs** - The *Local Governments* will join with the *Darumbal People* in an approach to the Department of Main Roads and Transport for approval to erect a "Welcome to Darumbal Country" road sign at a main road entrance points to the *ILUA Area* and, if approval is granted, will reasonably assist with the development, manufacture and erection of such a sign.
 - iv) **Public Information** - Initiatives for the development, provision and placement of information at agreed public places in the *ILUA Area* about the history, culture and traditions of the *Darumbal People* as Traditional Owners.
 - v) **Publications** - The *Local Governments* will reasonably assist in the development of publications about the history and culture of the *Darumbal People* in ways which will promote their recognition and Aboriginal reconciliation in the local community. This may, for example, include a component on websites maintained by the *Local Government* or other appropriate websites.

Part 4 – Other Outcomes

- vi) *Displays* – The *Local Governments* will reasonably assist initiatives for the display of artistic and cultural works of the *Darumbal People* in appropriate public places.
 - vii) *Acknowledgement at Events* - The *Local Governments* will:-
 - A. acknowledge the *Darumbal People* as the traditional owners of the *ILUA Area* at appropriate *Local Government* official events in the *ILUA Area*;
 - B. invite a representative of the *Darumbal People* to provide a "Welcome to Country" at appropriate *Local Government* official events in the *ILUA Area*; and
 - C. invite representatives of the *Darumbal People* to attend significant *Local Government* events in the *ILUA Area* such as official visits by a Governor-General or State Governor.
 - (c) **Funding Programs** - The *Parties* will consider State and Commonwealth funding opportunities that would enable the *Parties* to develop and implement initiatives of mutual benefit to the *Darumbal People* and the broader local government community. The types of initiatives contemplated include, for instance, natural resource management including the control of weeds and feral animals and the development of cultural awareness initiatives and tourism ventures that highlight the traditions and history of Indigenous people in the area.
- 43.2 Some of the policies and programs in this clause are stated in relatively general terms. In that regard, the *Parties* acknowledge the following:-
- (a) Details about how the policy or program will be implemented will be discussed by the *Parties* through the *Consultative Committee*.
 - (b) Implementation of some of the policies and programs may require a *Local Government* to make budget allocations in subsequent financial years and that may affect the timing of implementation.
 - (c) Where a particular policy or program is subject to *Third Party* funding or other approvals, the *Parties* will work together and support each other in seeking the funding or other approvals.

44. CONSULTATIVE COMMITTEE

- 44.1 This clause provides for a mechanism (the *Consultative Committee*) through which:-
- (a) the *Parties* will have a formal system of ongoing communication on any issues¹⁰; and
 - (b) the *Parties* will discuss over time the possible development, adoption, resourcing and implementation of future policies and programs on which they can work together for the advancement of:
 - i) *Darumbal People*; and
 - ii) the local community as a whole.
- 44.2 The *Local Governments* and the *Darumbal People* will establish a *Consultative Committee*.

¹⁰ Nothing in this *Agreement* restricts the manner or content of future communications between the *Parties*.

Part 4– Other Outcomes

- 44.3 Through the *Consultative Committee* the *Parties* will seek to achieve the following outcomes:
- (a) to discuss and resolve issues arising from this *Agreement*;
 - (b) to discuss and prioritise the gradual implementation of the programs agreed in Clause 43, taking into account factors such as available resources, community need and the timeframes attached to any related *Law*;
 - (c) to provide a forum at which either *Party* can put forward new ideas and proposals for mutual consideration; and
 - (d) to strengthen their relationship and work together in building stronger local communities.
- 44.4 The *Consultative Committee* will operate in the way detailed in Schedule 9.

Schedules

Signed by the Parties as a Deed.

SIGNED for and on behalf of LIVINGSTONE SHIRE COUNCIL by: Fredrick William Ludwig the Mayor and

[Signature of Fredrick William Ludwig]
Mayoral

the Chief Executive Officer: Christina Murdoch

[Signature of Christina Murdoch]
Chief Executive Officer

this 25th day of May 2016

in the presence of:



[Signature of Suzanne Rambold]

Witness (insert name)

Suzanne Rambold

SIGNED for and on behalf of ROCKHAMPTON REGIONAL COUNCIL by:

the Mayor and

the Chief Executive Officer:

this day of 2016

in the presence of:

[Signature lines for Mayor and Chief Executive Officer of Rockhampton Regional Council]
Mayor
Chief Executive Officer

Witness (insert name)

SIGNED by ALAN DOUGLAS HATFIELD for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

Witness

SIGNED by WARREN JOHN MALONE for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

Witness

SIGNED by RODNEY WILLIAM MANN for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

Witness

Schedules

Signed by the Parties as a Deed.

SIGNED for and on behalf of LIVINGSTONE SHIRE COUNCIL by:

the Mayor and

the Chief Executive Officer:

this day of 2016

in the presence of:

) _____ Mayor
) _____ Chief Executive Officer

Witness (insert name)

SIGNED for and on behalf of ROCKHAMPTON REGIONAL COUNCIL by:

the Mayor and

the Chief Executive Officer:

this 26th day of May 2016

in the presence of:

) [Signature] Mayor
) [Signature] Chief Executive Officer

Trudi Conrad.
Witness (insert name)

[Signature]

SIGNED by ALAN DOUGLAS HATFIELD for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

_____ Witness

SIGNED by WARREN JOHN MALONE for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

_____ Witness

SIGNED by RODNEY WILLIAM MANN for and on behalf of the Darumbal. People

this day of 2016

in the presence of:

Witness

_____ Witness

Schedules

Signed by the Parties as a Deed.


SIGNED for and on behalf of LIVINGSTONE SHIRE COUNCIL by:)
) _____ Mayor
 the Mayor and)
)
 the Chief Executive Officer:)
) _____ Chief Executive Officer
 this day of 2016)
 in the presence of:


Witness (insert name) _____

SIGNED for and on behalf of ROCKHAMPTON REGIONAL COUNCIL by:)
) _____ Mayor
 the Mayor and)
)
 the Chief Executive Officer:)
) _____ Chief Executive Officer
 this day of 2016)
 in the presence of:

Witness (insert name) _____


SIGNED by ALAN DOUGLAS HATFIELD
 for and on behalf of the Darumbal. People
 this 25 day of May 2016
 in the presence of: RICHARD SPORNE





 _____ Witness

Witness _____


SIGNED by WARREN JOHN MALONE
 for and on behalf of the Darumbal. People
 this 26 day of May 2016
 in the presence of: RICHARD SPORNE





 _____ Witness

Witness _____

SIGNED by RODNEY WILLIAM MANN
 for and on behalf of the Darumbal. People
 this 26 day of May 2016
 in the presence of: RICHARD SPORNE




 _____ Witness

Witness _____

Document Set ID: 8422337
Version: 1, Version Date: 10/08/2017

Schedules

SIGNED by VANESSA ROSS
for and on behalf of the Darumbal. People

Vanessa Ross-Ross

this 26 day of May 2016

in the presence of: RICHARD SPORNE

Witness

[Signature]

Witness

SIGNED by AMANDA MEREDITH
for and on behalf of the Darumbal. People

Amanda Meredith

this 27 day of May 2016

in the presence of: RICHARD SPORNE

[Signature]

Witness

Witness
SIGNED by PAULINE CORA
for and on behalf of the Darumbal. People

*PAULINE CORA
pjcora*

this 27 day of May 2016

in the presence of: RICHARD SPORNE

[Signature]

Witness

SIGNED for and on behalf of DARUMBAL
PEOPLE ABORIGINAL CORPORATION ICN
8405 as an Aboriginal Corporation pursuant to
section 99-5 Corporations (Aboriginal and Torres
Strait Islander) Act 2006 in the presence of:

Rowena (Sally) Mann

(print name of Director 1)

[Signature]

(signature of Director 1)

this 26 day of May 2016

Warren Malone

(print name of Director 2)

[Signature]

(signature of Director 2)

this 26 day of May 2016

SCHEDULE 1 – DICTIONARY

This Schedule contains the meanings of words and phrases shown in italics throughout the *Agreement* (refer to sub-clause 1.1).

"Activity" and **"Activities"** has the widest possible meaning and includes any activity (including any construction and ground disturbing activity), action, undertaking, dealing, grant, approval, consent and agreement.

"Agreement" means this Deed and all schedules to it.

"Alternative Dispute Resolution" means any method of resolving disputes alternative to litigation including mediation, case appraisal and arbitration.

"Applicants" has the same meaning as in the Native Title Act.

"Authorised" means authorised in the manner described in Section 251A of the *Native Title Act* or any similar provision which replaces that section.

"Body Corporate" means Darumbal People Aboriginal Corporation ICN 8405, a corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* or any corporation (including an incorporated association), prior to there being a *Registered Native Title Body Corporate*, appointed under Clause 7.

"Claim Area" means all land and waters covered by the *Native Title Claim* as at the *Execution Date*.

"Community Interests" means:-

- (a) any legally enforceable right which a member of the public has in relation to a particular area; and
- (b) the interests which members of the public have in relation to a particular area by way of regularly accessing that area for sport, recreation, hobbies or lawful economic activities.

Example - A *Community Interest* would include horse riding along the National Trail or other tracks used by members of the public for horse riding purposes.

"Compensation" means any compensation, right or entitlement (whether monetary or otherwise) under any law (including common law, equity or statute), which the *Native Title Claim Group* or any member thereof may be entitled to.

"Connection" refers to the requirement for a *Successful Determination* that the *Native Title Party* establish the existence of *Native Title* in accordance with Section 223(1) of the *Native Title Act* or any similar provision which replaces that section.

"Consultative Committee" means one or more committees involving the *Parties* established under Clause 43.2(c) to provide a means of ongoing and direct communication on issues of mutual interest.

"Darumbal People" means all people who are members of the *Native Title Claim Group*.

"Determination Orders" means orders of the Federal Court of Australia in relation to the *Native Title Claim* which constitute a determination of *Native Title* under the *Native Title Act*.

"Dispute" means any dispute or disagreement between the *Parties* relating to the *Agreement*.

"Execution Date" means the date that the last *Party* signs the *Agreement*.

"Exclusive" refers to *Determination Orders* for a *Successful Determination* which recognises *Native Title* of a kind which gives the *Darumbal People* or a *Registered Native Title Body*

Schedules

Corporate rights to the possession, occupation, use and enjoyment of land or waters to the exclusion of all others.

"**Extinguishment**" means the complete extinguishment of *Native Title at Law*.

"**Extinguishment Areas**" means any area of land or waters:-

- (a) which is *Freehold Land*; or
- (b) where there is either clear evidence or legal certainty that there has been *Extinguishment*.

"**Force Majeure Event**" means an event or circumstance which is beyond the reasonable control of the *Party* affected by the event or circumstance including war, insurrection, civil disturbance, blockade, riot, embargo, epidemic, earthquake, storm, flood, explosion, fire or lightning, significant traditional ceremony or cultural activity, strikes and other labour conflict, government action or inaction (including a change to the *Law*), breakdown of machinery, equipment or facilities or shortages of material or equipment.

"**Freehold Land**" means any land or waters which, at the *Execution Date*, is subject to freehold title.

"**Future Acts**" has the same meaning as given in the *Native Title Act*.

"**ILUA Area**" means the area described in writing¹¹ in Schedule 2 including all the land and waters within the that part of the *Claim Area* described as "Darumbal Part A" in the Orders made by Justice Collier on 27 March 2013 and shown on the map marked "ILUA Area" in Schedule 3 which does not overlap with any other native title claim.

"**ILUA Regulation**" means *Native Title (Indigenous Land Use Agreements) Regulation, 1999*.

"**Invalid Past Act**" means a past act as defined in the *Native Title Act* and an intermediate period act as defined in the *Native Title Act* which was not undertaken validly under the *Native Title Act* by or for the benefit of one of more *Local Government*.

"**Law**" means any *Law* of the State and the Commonwealth of Australia including:-

- (a) the common law;
- (b) equity;
- (c) any legislative instrument;
- (d) any *Local Laws* or *Subordinate Local Law*; or
- (e) any *Local Planning Instrument*.

"**Livingstone Shire Council**" means the *Livingstone Shire Council* constituted under the *Local Government Act (Qld) 2009* with jurisdiction over the Livingstone Shire local government area.

¹¹ *ILUA Regulation - Reg. 7(2)(d)* states that "a complete description of the agreement area" must accompany an application for registration of an ILUA. *Reg. 5* states that the definition of "complete description", in relation to an area, means: (a) a written description of that area that enables identification of the boundaries of: (i) the area; and (ii) any areas within those boundaries that are not included in the area; and (b) a map of the area that shows geographic coordinates. The written description may include any of the following: geographic coordinates and datum, tenure types and cadastral boundaries where these correspond to the agreement boundaries, local government or other gazetted boundaries, man-made features such as roads (especially where those features form boundaries), or lot on plan numbers.

Schedules

"Local Government" means each of *Livingstone Shire Council* and *Rockhampton Regional Council* separately and any *Third Party* acting on the *Local Government's* behalf or for the *Local Government's* benefit.

"Local Governments" means both *Livingstone Shire Council* and *Rockhampton Regional Council*.

"Local Laws" means the *local laws* and *local law* policies of a *Local Government* and any regulations derived from the *local laws*.

"Local Planning Instrument" has the meaning given in the *Sustainable Planning Act, 2009* (Qld).

Note: At the *Execution Date* "*local planning instrument*" means a *planning scheme*, a *temporary local planning instrument* or a *planning scheme policy*.

"Low Impact Infrastructure" means the infrastructure referred to in Schedule 7.

"Low Native Title Impact" in relation to an *Activity*, refers to anything which is included in or covered by any of the classes of *Activities* contained in Schedule 7.

"Management Plan" means a management plan referred to in section 48 of the *Land Act 1994* (Qld) or a stock route network management plan referred to in section 105 of the *Land Protection (Pest and Stock Route Management) Act 2002* (Qld).

"Native Title" means *native title* rights and interests held by or on behalf of the *Native Title Claim Group*.

"Native Title Act" means the *Native Title Act 1993* (Clth).

"Native Title Claim" means *Native Title Determination Application QUD6131/1998* (Darumbal People) as amended from time to time.

"Native Title Claim Group" has the same meaning as given in the *Native Title Act* in relation to the *Native Title Claim*.

"Native Title Holder" has the same meaning as given in the *Native Title Act*.

"Native Title Party" means:-

- (a) Alan Douglas Hatfield, Warren John Malone, Rodney William Mann, Vanessa Ross, Amanda Meredith and Pauline Cora on their own behalf and on behalf of the *Native Title Claim Group*, or such other person or persons who may from time to time be the registered native title claimant for the *Native Title Claim*;
- (b) for purposes of Part 1, Part 3 and Part 4 of the *Agreement* before a *Successful Determination* and until a *Registered Native Title Body Corporate* is appointed after a *Successful Determination* - where appropriate in the context of the *Agreement* and to the extent the *Law* allows, any *Body Corporate* which is a party to this *Agreement* or which is nominated in the most recent *Nominated Aboriginal Corporation Notice* received by the *Local Government*; and
- (c) after a *Successful Determination* and upon the *Local Government* being given *Notice* that a *Registered Native Title Body Corporate* has been appointed - where appropriate in the context of the *Agreement* and to the extent the *Law* allows, the *Registered Native Title Body Corporate*.

"Native Title Party's Representative" means the person who the *Native Title Party* nominates to act as their representative in accordance with this *Agreement*.

"Native Title Representative Body" means Queensland South Native Title Services Limited or any other native title representative body or *native title* services provider under the *Native Title Act* for the *ILUA Area*.

Schedules

"Nominated Aboriginal Corporation Notice" means a *Notice* generally in the form contained in Schedule 4.

"Non-Determination Outcomes" means agreed outcomes to the *Native Title Claim* which are additional or alternative to *Determination Orders* and which include but are not limited to outcomes of the kind set out in Part 3 and Part 4 of this *Agreement*.

"Non-Extinguishment Principle" has the same meaning as given in the *Native Title Act*.

"Non-Freehold Land" means any land or waters which are not subject to freehold title.

"Notice" refers to any notice given under the *Agreement* and, for clarification:-

- (a) Clause 20 sets out how *Notice* is given,
- (b) Schedule 4 contains the template of a *Notice* to be given under sub-clause 7.6.

"Partial Extinguishment" means the partial extinguishment of *Native Title* at *Law*.

"Party" or **"Parties"** refers to the *Native Title Party*, the *Body Corporate*, *Livingstone Shire Council* and *Rockhampton Regional Council* and where the context warrants it, any combination of these parties.

"Permitted Lease" means a *Trustee Lease*, a lease for the management or regulation of water or airspace and any other lease which contains a condition enabling the continued exercise of any *Native Title* in the area of the lease.

"Previous Exclusive Possession Act" has the same meaning as given in the *Native Title Act*.

"Previous Non-Exclusive Possession Act" has the same meaning as given in the *Native Title Act*.

"Register of Indigenous Land Use Agreements" has the same meaning as given in the *Native Title Act*.

"Register of Native Title Claims" has the same meaning as given in the *Native Title Act*.

"Register" and **"Registration"** means the inclusion of the indigenous land use agreement comprised by this *Agreement* as an entry in the *Register of Indigenous Land Use Agreements*.

"Registered Native Title Body Corporate" means a registered native title body corporate, an agent prescribed body corporate or a replacement prescribed body corporate as defined in the *Native Title Act*.

"Registration Date" means the date on which details of this *Agreement* are entered in the *Register of Indigenous Land Use Agreements*.

"Reserve" means land or water dedicated as a reserve, other than a road dedicated for use by the public:-

- (a) which was dedicated on or before the *Execution Date*; and
- (b) where *Native Title* had not been *Extinguished* over all of the land or water at the *Execution Date*.

"Rockhampton Regional Council" means the *Rockhampton Regional Council* constituted under the *Local Government Act (Qld) 2009* with jurisdiction over the Rockhampton Regional local government area.

"Service Infrastructure" means infrastructure owned, maintained or controlled by *Local Government* of the following type:-

- (a) administration centre or depot;
- (b) recreation facilities;
- (c) areas where a *Local Government* has granted third party trustee lease;
- (d) sewerage facility;
- (e) drainage facility or other device for management of water flows;
- (f) communication facility;
- (g) water supply or reticulation facility;
- (h) irrigation channel or facility; and
- (i) any other infrastructure that is similar to any of the infrastructure mentioned above.

"Successful Determination" means *Determination Orders* in relation to the *Native Title Claim* which determine that *Native Title* exists in all or part of the *Claim Area*.

"Tenure Resolution" means proposed changes to interests in land or waters granted or created under legislation in association with the resolution of all or parts of the *Native Title Claim*.

"Terminated" means the *Agreement* is cancelled or at an end.

"Third Party" means any person (including a corporation, the Commonwealth of Australia and the State of Queensland) not a party to the *Agreement*.

"Trustee Lease" means a lease under Section 57 of the *Land Act, 1994* and any equivalent lease held by a *Local Government*.

"Unsuccessful Determination" means *Determination Orders* in relation to the *Native Title Claim* which determine that *Native Title* does not exist in any part of the *Claim Area*.

SCHEDULE 2 – WRITTEN DESCRIPTIONS

This schedule details the written descriptions of the *ILUA Area* (refer to the definitions in Schedule 1).

Darumbal - Local Government ILUA

The ILUA Area is wholly within the Darumbal People native title determination application (QUD6131/1998) as per the Second Further Amended Claimant Application filed on 24 November 2015.

The ILUA Area covers all the land and waters within the Livingstone Shire Council local government area and the Rockhampton Regional Council local government area to the extent that those areas fall within the external boundary described below.

External Boundary Description

Commencing at a point in Broad Sound at Longitude 149.784740° East, Latitude 22.395110° South and extending northerly along a line drawn to Longitude 149.873617° East, Latitude 22.039361° South to its intersection with the Low Water Mark; then generally south-easterly, generally north-easterly, again generally south-easterly and generally southerly along that Low Water Mark to Latitude 23.000000° South; then west to the High Water Mark; then generally southerly along that High Water Mark to Latitude 23.365037° South at Longitude 150.791624° East; then east to again the Low Water Mark; then again generally southerly along that Low Water Mark to its intersection with a line drawn between Longitude 151.282503° East, Latitude 23.080228° South and a point on the south eastern boundary of the Rockhampton Regional Council boundary at Longitude 150.875392° East, then south-westerly to that point; then generally south-westerly along that regional council boundary to a corner at Longitude 150.596570° East, Latitude 23.826429° South; then generally north-westerly along the ridgeline of Dee Range, further described as generally north-westerly along western boundaries of Lot 15 on USL34945, southern and western boundaries of Lot 186 on DS653, western boundaries of Lot 2 on USL34953, Lot 174 on DS475, Lot 4 on USL34953 and Lot 178 on DS534 to the north-western corner of that lot, being a point on the boundary of the former Mount Morgan Shire Council; then generally north-westerly, generally northerly and generally westerly along that former shire council boundary to the southernmost corner of Lot 120 on LN422, being a point on the boundary of the Rockhampton Regional Council; then generally westerly along boundaries of that regional council to a corner at Longitude 150.209131° East, Latitude 23.652751° South; then southerly to the centerline of Sandy Creek at Longitude 150.209130° East, then generally north-westerly and generally north-westerly along the centerline of that creek and the centerline of Gogango Creek to the centerline of the Fitzroy River; then generally westerly and generally south-westerly along the centerline of that river to its intersection with the centerline of Melaleuca Creek; then generally north-westerly along the centerline of that creek to its intersection with an unnamed tributary at Longitude 149.736249° East; then generally northerly and generally westerly along the centerline of that tributary at Longitude 149.719940° East, then north-easterly to the headwaters of again an unnamed tributary at Longitude 149.721750° East, Latitude 23.146380° South; then generally north-easterly along the centerline of that unnamed tributary and the centerline of Ten Mile Creek to Longitude 149.857870° East; then easterly to the centerline of the Fitzroy River at Longitude 149.880542° East and generally easterly along the centerline of that river to the centerline of Princhester Creek; then generally northerly along the centerline of that creek and the centerline of Four Mile Creek to Latitude 22.964422° South; then generally north-westerly passing through the following coordinate points:

Longitude (East)	Latitude (South)
150.060063	22.961660
150.059233	22.960414
150.058392	22.959567
150.056083	22.954114
150.053984	22.949499
150.052514	22.947191
150.046427	22.938801
150.043278	22.935235

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150.039919	22.934816
150.036770	22.932928
150.034041	22.931879
150.030053	22.929991
150.023755	22.927054

Then westerly to again the centreline of Princhester Creek at Latitude 22.926040° South; then generally north-westerly along the centreline of that creek to an unnamed tributary at Latitude 22.894070° South; then generally north-westerly along the centreline of that tributary to its headwaters at Longitude 149.982867° East, Latitude 22.873790° South; then northerly to the northern boundary of the Bruce Highway (Kunwarara Road) at Longitude 149.978446° East; then generally westerly along boundaries of that highway to its intersection with the western boundary of Marlborough Road; then generally south-westerly along boundaries of that road to the eastern boundary of the western severance of Lot 90 on L1255; then generally south-westerly and generally north-westerly along boundaries of that severance to its north-western corner; then westerly to a point on the eastern boundary of an unnamed Road at Latitude 22.845050° South; then generally north-westerly along boundaries of that road and onwards to the northern boundary of the Bruce Highway (St Lawrence Road) at Latitude 22.813738° South; then generally north-westerly again along boundaries of that Highway to Latitude 22.760299° South; then north-westerly to a point on the eastern boundary of the North Coast Railway at Latitude 22.753842° South; then generally north-westerly along boundaries of that Railway, being eastern boundaries of Lot 411 and 412 on SP108287, Lot 450 on SP108288 and Lot 461 on SP108289 to Latitude 22.649590° South then westerly and north-westerly passing through Longitude 149.674918° East, Latitude 22.649507° South to a point on the eastern bank of Deep Creek at Latitude 22.648494° South; then generally westerly along banks of that creek to Longitude 149.670930° East; then southerly to the centreline of that creek at Longitude 149.670864° East; then generally north-westerly, generally northerly and generally north-easterly along the centerline of that creek, the centreline of Tooloombah Creek and the centreline of Styx River to Broad Sound; then north-easterly back to the commencement point.

The ILUA area also includes the land and waters subject to Girt Island landward of the High Water Mark.

To avoid any doubt, the ILUA area does not include any land or waters seaward of the Low Water Mark.

Data Reference and source

- ILUA external boundary based on data sourced from the Commonwealth of Australia, NNTT (January 2015).
- Low Water Mark as defined in the *QLD Administrative Boundaries Terminology Act 1985* (interpreted from Australian Maritime Charts 247 and 367 (Indicative).
- High Water Mark as defined in the *QLD Land Act 1994* sourced from Dept. of Natural Resources and Mines, Qld (February 2015).
- Cadastral data sourced from Dept. of Natural Resources and Mines, Qld (August 2015).
- Ridgeline of Dee range, where possible interpreted from cadastral data sourced from Dept. of Natural Resources and Mines, Qld (August 2015).
- Rockhampton and Livingstone Local Government area boundaries sourced from Dept. of Natural Resources and Mines, Qld (November 2015).
- Former Mount Morgan Shire Council Boundary sourced from Dept. of Natural Resources and Mines, Qld (August 2007).
- Rivers and creeks based, where possible, on cadastral data sourced from Dept of Natural Resources and Mines, Qld. otherwise, rivers and creeks based on 1:250,000 topographic vector data © Commonwealth of Australia (Geoscience Australia) 2008.

Reference datum

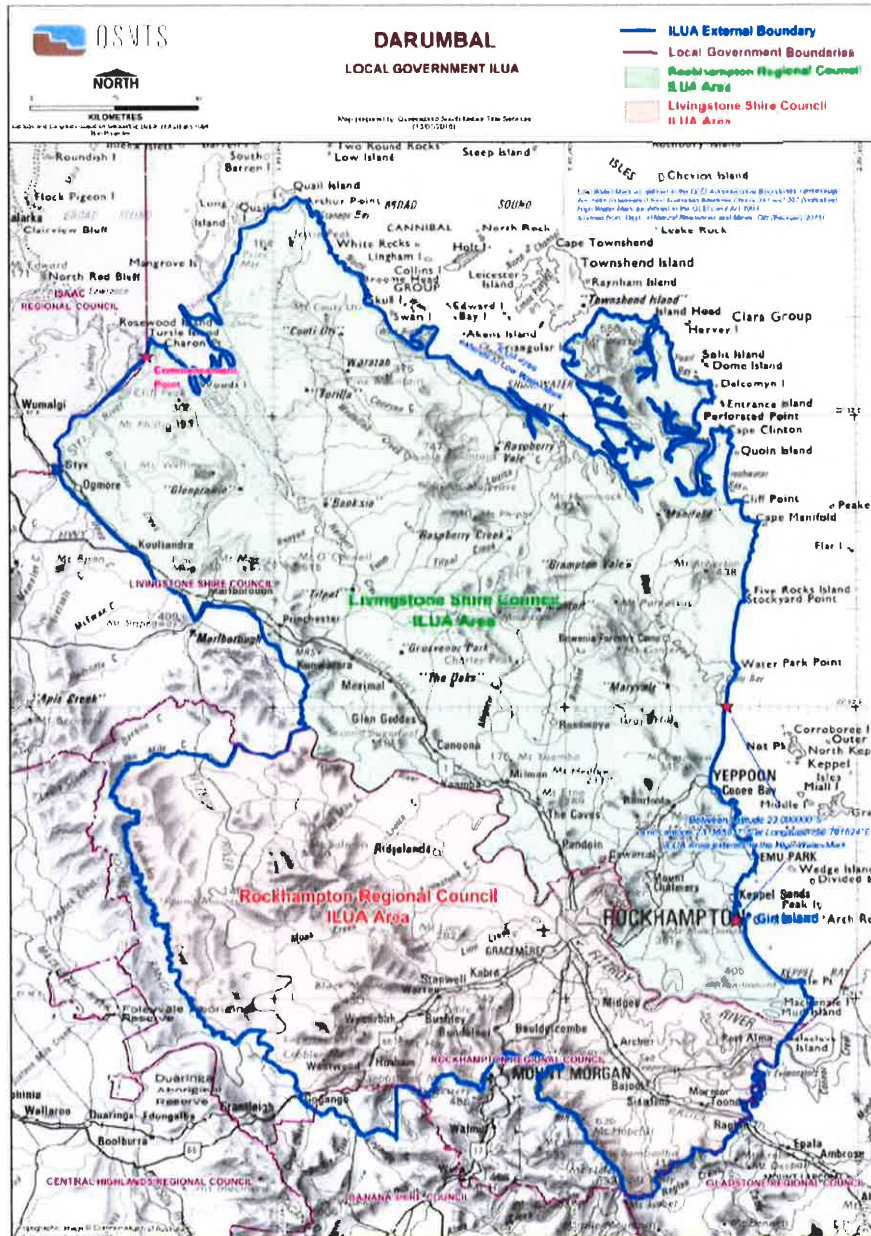
Geographical coordinates are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time.

Use of Coordinates

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome to the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Prepared by Queensland South Native Title Services (1 February 2016).

SCHEDULE 3 – MAP OF AREAS
The map in this schedule depicts the extent of the ILUA Area (refer to the definitions in Schedule 1).



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SCHEDULE 4 – NOMINATED ABORIGINAL CORPORATION NOTICE

This is the notice which the *Native Title Party* must give to the *Local Government* so that a corporation can be recognised as the entity handling matters on behalf of the *Native Title Party* under Part 3 and Part 4 of the *Agreement*.

Nominated Aboriginal Corporation Notice	
To:	<i>Insert name and address of the Council receiving this notice</i>
	Livingstone Shire Council PO Box 2292 YEPPOON QLD 4703 enquiries@livingstone.qld.gov.au
	Rockhampton Regional Council PO Box 1860 ROCKHAMPTON QLD 4700 enquiries@rrc.qld.gov.au
	<small>Note: Clause 20 of the ILUA details 'How to Give Notice' and each <i>Party's</i> address at the <i>Execution Date</i>. Any subsequent change of address must be notified by written <i>Notice</i>.</small>
From:	The <i>Applicant</i> for the <i>Darumbal</i> People under Native Title Determination Applications QUD6131/1998
Purpose of Notice	
	This notice is to advise <INSERT Name of Council> , that from [<i>Insert date</i>] contact with the <i>Darumbal</i> People should be made through the <insert> with regard to the following <i>Indigenous Land Use Agreement</i> issues:
	<ul style="list-style-type: none"> • <i>Native Title</i> Compliance (Part 3). • Other Outcomes (Part 4).
	This Notice relates to the <i>Indigenous Land Use Agreement</i> (ILUA) between <i>Livingstone Shire Council</i> , <i>Rockhampton Regional Council</i> and the <i>Darumbal People</i> dated [<i>Insert Execution Date</i>]
Details Of Nominated Corporation	
Name:	
ABN or ICN Number:	
Contact Person/s:	
Registered Office Address:	
Postal Address:	
Telephone Number: Office:	Mobile:
Facsimile Number:	
Email Address:	
Legal Representative (if any) + Contact Details:	

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Signatories To Nominated Corporation Notice Each Applicant for Native Title Determination Application Darumbal QUD6131/1998 must sign and date this notice		
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:
Name of Applicant (print)		
Signature of above-named Applicant		Date:

SCHEDULE 5 – NATIVE TITLE CLAIM GROUP INTERESTS

This Schedule describes the *native title* rights and interests asserted by the *Native Title Claim Group* in the *Claim Area* (refer to sub-clause 31.2).

1. The non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area;
 - (b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters on the area;
 - (c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (d) take, use and share Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (e) take and use the Water of the area for personal, domestic and non-commercial communal purposes;
 - (f) conduct smoking, welcome and cleansing ceremonies and ceremonies associated with repatriation of remains on the area;
 - (g) be buried on and bury native title holders within the area;
 - (h) maintain and protect places of importance and areas of significance to the native title holders under their traditional laws and customs;
 - (i) teach on the area the physical, cultural, and spiritual attributes of the area;
 - (j) hold meetings on the area; and
 - (k) light fires on the area for personal and domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.

SCHEDULE 6 - LOCAL GOVERNMENT INTERESTS

This Schedule describes some general categories of local government interests and some specific interests of the *Local Government* in the *Claim Area* and the relationship between those local government interests and any *Native Title* (refer to Clause 32.2).

1. Consent Determination Paragraphs

1. The rights and interests of the Livingstone Shire Council and Rockhampton Regional Council to access, use, operate, maintain and control the dedicated roads in the Determination Area and the rights and interests of the public to use and access the roads.
2. The rights and interests of Livingstone Shire Council and Rockhampton Regional Council:
 - (a) under their local government jurisdiction and functions under the Local Government Act, under the *Land Protection (Pest and Stock Route Management Act 2002 (Qld)* and under any other legislation, for that part of the Determination Area within the area declared to be their respective local government areas;
 - (b) as the:
 - (i) lessor under any leases which were validly entered into before the date on which these orders are made and whether separately particularised in these orders or not;
 - (ii) grantor of any licences or other rights and interests which were validly granted before the date on which these orders were made and whether separately particularised in these orders or not;
 - (iii) holder of any estate or interest in land, as trustee of any reserves, that exist in the Determination Area;
 - (c) as the owner and operator of infrastructure, and those facilities and other improvements located in the Determination Area validly constructed or established on or before the date on which these orders are made, including but not limited to:
 - (i) undedicated but constructed roads except for those not operated by Council;
 - (ii) water pipelines and water supply infrastructure;
 - (iii) drainage facilities;
 - (iv) watering point facilities; and
 - (v) recreational facilities.
 - (d) to enter the land for the purposes described in paragraphs 2(a), 2(b) and 2(c) 4 by their employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in paragraphs 1 and 2;
 - (ii) inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph (c) above;
 - (iii) undertake operational activities in its capacity as a local government such as feral animal control, weed control, erosion control, waste management and fire management

2. Categories of local government interests

- **Property Interests** - All interests in land or waters held *at Law* by a *Local Government* in the *Claim Area*.

Examples: Any permits to occupy, occupation licences, easements and leases which have not given rise to *Extinguishment*, etc
- **Trustee Interests** - All interests involving trusteeship by a *Local Government*, or which give rise to rights or powers of management and control by a *Local Government*, in relation to land or waters in the *Claim Area*.

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Example: Dedication of reserves where a *Local Government* is the trustee or one of the trustees.

- **Interests Under Agreements** - All interests in, or derived from, any agreement, offer or undertaking between a *Local Government* and a *Third Party* which relates to land or waters in the *Claim Area*.

Examples: Trustee lease over a reserve between a *Local Government* and a sporting club, maintenance contract for mowing in public places, etc.

- **Interests in Improvements** - All ownership and operational interests in infrastructure, structures, earthworks, access routes, plantings, maintained areas and improvements of any kind in or on land or waters in the *Claim Area* including a *Local Government's* interests derived from having constructed, funded, operated, used or maintained such improvements.

Examples: Constructed roads, drainage works, pipelines, parklands, recreation facilities, erosion control works, restoration and remediation works, etc.

- **Operational Interests** - All interests involving access to, or the carrying out of *Activities* on, land or waters in the *Claim Area* undertaken as part of a *Local Government's* statutory responsibility to provide for the good rule and government of its local government area.

Examples: Entering land to assess compliance by any persons with *Local Laws*, carrying out erosion control, civic functions and events, etc.

- **Regulatory Interests** - All interests, including any rights, powers and functions, derived from a *Local Government's* jurisdiction and as an entity exercising rights or powers under any *Law* or under this *Agreement* in the *Claim Area*.

Examples: Powers in relation to land use planning and regulation under a *Local Planning Instrument*, interests under *Local Laws*, powers under legislation such as that regulating health or building matters, etc.

3. The relationship between the local government interests and any Native Title.

The relationship is that:-

- the local government interests (which include the categories of interests and any specific interests referred to in this Schedule), continue to exist and have effect notwithstanding the existence of Native Title;
- subject to s23B(7) of the *Native Title Act*, the local government interests and Native Title co-exists and will each be given full effect to the extent that each is consistent with the other; and
- where in any particular instance the Native Title, or some aspect of Native Title, is not consistent with a local government interest, the local government interest prevails to the extent of the inconsistency.

SCHEDULE 7 - LOW NATIVE TITLE IMPACT ACTIVITIES

This Schedule contains classes of Activities which have a *Low Native Title Impact* (refer to Clause 40.1).

Short Description	Class of Activities
Maintenance	<p>Anything which involves the maintenance, repair, protection or making safe of existing infrastructure, structures, improvements, earthworks and areas under a <i>Local Government's</i> ownership, care or control.</p> <p><i>Examples</i> - Repairs to buildings, re-sealing roads and car parks, mowing parks, removing rubbish, restoring erosion and revegetation.</p>
<i>Low Impact Infrastructure</i>	<p>Anything which involves or consists of the following:</p> <ol style="list-style-type: none"> 1. The construction or establishment of infrastructure, structures, improvements and earthworks which: <ol style="list-style-type: none"> (a) comprises signage or fencing which does not prevent the exercise of <i>Native Title</i>; (b) replaces, in the same location, previously existing infrastructure, structures, improvements and earthworks; (c) responds to an emergency or threats to public health and safety; (d) is located wholly in an area which is a <i>Reserve</i> and is consistent with the purpose of the <i>Reserve</i>; or 2. Consists of the construction, operation, use, maintenance or repair of any of the things listed from time to time in Section 24KA(2) of the <i>Native Title Act</i> including any of the things listed below:- <ol style="list-style-type: none"> (a) a road, railway, bridge or other transport facility (other than an airport or port); (b) a jetty; (c) a navigation marker or other navigational facility; (d) lighting of streets or other public places; (e) a well, or a bore, for obtaining water; (f) a pipeline or other water supply or reticulation facility; (g) a drainage facility, or a levee or other device for management of water flows; (h) an irrigation channel or other irrigation facility; (i) a sewerage facility, other than a treatment facility; (j) a cable, antenna, tower or other communication facility; (k) an automatic weather station; (l) playgrounds, toilet blocks, barbeque facilities, seating, walking tracks, signage and other similar recreational facilities. <p><i>Examples</i> - Street signs, replacing an existing sewerage treatment plant,</p>

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Short Description	Class of Activities
	underground water pipeline.
Statutory Approvals	Anything which involves, or which permits or requires, the granting, issuing, making by a <i>Local Government</i> of any approval, consent or permission under any <i>Law</i> . <i>Examples</i> - Ministerial approval of a trustee lease, environmental approvals, permits under <i>Local Laws</i> .
Low Impact Tenure Grants	Anything which involves, or which permits or requires, the granting, issuing, dedicating, renewal, or making by a <i>Local Government</i> of an interest in land or waters ¹² (including a <i>Permitted Lease</i>) but does not include the granting, issuing or making of a lease other than a <i>Permitted Lease</i> or the issue of a deed of grant in fee simple. <i>Examples</i> - Trustee lease by a <i>Local Government</i> to a sporting club over a <i>Reserve</i> , permit to occupy, easements
Pest Control	Anything which permits, requires or consists of the management, control or elimination of pests. <i>Examples</i> - Removing weeds, eradicating feral animals.
Contractual Interests	Anything which permits, requires or consists of the granting or making by or to a <i>Local Government</i> of a contractual interest relating to the management or use of land or waters for a public purpose. <i>Examples</i> - A <i>Local Government</i> entering into a contract with a <i>Third Party</i> for the mowing or maintenance of public places, licence to a community group to use land or waters under a <i>Local Government's</i> management or control.
Operational Activities	Anything which permits, requires or consists of the carrying out of the operational functions of a <i>Local Government</i> and which is not an <i>Activity</i> which has a <i>High Native Title Impact</i> . <i>Examples</i> - Storage and stockpile of gravel, civic functions on land or waters, carrying out enforcement actions regarding alleged breaches of <i>Local Laws</i> , <i>Local Planning Instrument</i> and legislation.
Access and Site Investigation	Access and site investigation activities which do not require major excavations or earthworks. <i>Examples</i> - Inspecting an area, surveying an area, conducting geotechnical testing, water quality testing.
Emergencies	Anything which is undertaken for the purpose of preventing or minimising physical harm or the threat of physical harm to persons or property. <i>Examples</i> - Constructing a fire break or a safety barrier.
Contractual Interests with <i>Third Parties</i>	Anything which involves, or which permits or requires, the granting, issuing or making of a contract or agreement. <i>Examples</i> - A management agreement, maintenance contract, permit or agreement entered into in accordance with the <i>Law</i> .
Preventing the Exercise of Native Title	Anything which prevents the exercise and enjoyment of <i>Native Title</i> if the <i>Activity</i> is short term and is: a) lawfully done pursuant to a <i>Permitted Lease</i> ; or b) required by <i>Law</i> . Example - Enclosing an area by a fence or other structure which prevents the <i>Native Title Claim Group</i> from entering the area in the short-term.

¹² Includes an interest in the nature of a trust.

SCHEDULE 8 - OPTION FOR COMPULSORY ACQUISITION OF NATIVE TITLE BY AGREEMENT FOR THE FREEHOLDING OF LAND

This Schedule contains a policy of the *Local Government* under which, where the *Local Government* needs to clear *Native Title* over a particular area for the purpose of freeholding or other purposes, it considers the option of compulsory acquisition of *Native Title* by agreement between the *Parties* (refer to paragraph 43.1(a)).

1. From time to time a *Local Government* may apply for a grant of freehold title from the State of Queensland or other dealings inconsistent with the continuing existence of *Native Title* in relation to *Non-Freehold Land*.
2. Where *Native Title* needs to be dealt with for purposes of a freeholding application or other inconsistent dealing, the *Parties* acknowledge that a *Local Government* may seek to deal with *Native Title* in any of the following ways:-
 - a. under an indigenous land use agreement separate to this *Agreement*;
 - b. by way of a lawful compulsory acquisition separate to this *Agreement*;
 - c. by way of a lawful compulsory acquisition consistent with this *Agreement* (particularly this Schedule); or
 - d. in any other way provided for by *Law*.
3. A *Local Government* may seek to deal with *Native Title* under paragraph 2.c of this Schedule but where an outcome is not achieved reasonably expeditiously, may proceed to deal with *Native Title* in any other available way (including under paragraph 2.a; 2.b or 2.d).
4. Paragraph 2.c of this Schedule essentially provides a way in which a *Local Government* can undertake a compulsory acquisition of *Native Title* with the advance agreement of the *Native Title Party* on behalf of the *Darumbal People* and a means by which a *Local Government* obtains a release and discharge of any compensation liability arising out of the compulsory acquisition from the *Native Title Party* and the *Darumbal People*.
5. A *Local Government* may decide to proceed under paragraph 2.c of this Schedule where:-
 - a. it has obtained an in-principle indication from the State of Queensland through a Government Department that it will make a freehold grant or undertake some other land dealing inconsistent with the continuing existence of *Native Title*;
 - b. there is a Government policy in place which enables a *Local Government* to seek a concessional discount on any purchase price associated with the grant or the dedication on the basis that the *Local Government* deals with *Native Title*;
 - c. a compulsory acquisition of *Native Title* can be lawfully undertaken; and
 - d. the *Local Government* is confident that the *Native Title Party* and the *Darumbal People* are the only persons who might hold *Native Title* in the area proposed for the compulsory acquisition.
6. Where a *Local Government* decides to proceed under paragraph 2.c of this Schedule it will:-
 - a. give *Notice* to the *Native Title Party* (on behalf of the *Darumbal People*); and
 - b. include in the *Notice* the following:
 - i. Details of the area proposed for the compulsory acquisition.
 - ii. The timeframe within which the *Local Government* needs to resolve any compulsory acquisition under paragraph 2.c of this Schedule.

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- iii. The compensation package which the *Local Government* proposes to provide to the *Native Title Party* and the *Darumbal People* which may include any one or more of the following elements:
 - i) Monetary compensation.
 - ii) The transfer of an interest in certain land (for example a transfer of freehold title in certain land from the *Local Government* to a corporation).
 - iii) Other non-monetary benefits.
- 7. The *Parties* may negotiate over any of the matters set out in the *Notice* given under the immediately preceding sub-paragraph however agreement must be struck within a reasonable time between the *Parties* about the following:-
 - a. That *Native Title Party* and the *Darumbal People* do not and will not object to the compulsory acquisition.
 - b. The terms of the compensation package.
 - c. The release and discharge of any compensation liability incurred by the *Local Government* to the *Native Title Party* and the *Darumbal People* as a result of the compulsory acquisition.
- 8. Where agreement is concluded under paragraph 7, any compensation liability incurred by the *Local Government* to the *Native Title Party* and *Darumbal People* is deemed to be discharged and the *Local Government* is discharged of any liability involving or relating to the compensation rights and entitlements of the *Native Title Party* and *Darumbal People* in relation to the compulsory acquisition.
- 9. Where agreement is not concluded a *Local Government* may proceed under any of the options in paragraphs 2.a; 2.b or 2.d of this Schedule.

SCHEDULE 9 - CONSULTATIVE COMMITTEE

This Schedule contains details of a *Consultative Committee* (refer to clause 44) established to facilitate communication and the exchange of information and ideas between the *Parties*. The *Consultative Committee* will deal with any issues raised by a *Party*.

- (a) The Consultative Committee will not be a statutory committee of the Local Governments but will operate as a formal consultative committee between the *Darumbal People, Livingstone Shire Council* and *Rockhampton Regional Council*.
- (b) The *Consultative Committee* will discuss issues arising from this *Agreement*, ideas and policies identified in Clause 43 and any other issues nominated for discussion. Whilst the *Consultative Committee* is unable to make a decision on behalf of the participating *Local Government* it may provide direct advice to the *Local Governments* for their consideration.
- (c) The Consultative Committee will be constituted by the following:-
 - i) four *Darumbal People* nominated in writing by the *Native Title Party*; and
 - ii) four local government representatives being either or both an elected Councillor and an officer from *Livingstone Shire Council* and either or both an elected Councillor and an officer from *Rockhampton Regional Council*.
- (d) Meetings of the *Consultative Committee* will generally only be attended by committee members and other representatives of the *Parties*; however the *Consultative Committee* may make its own rules for the attendance of observers at meetings.
- (e) The meetings of the *Consultative Committee* will be chaired on a rotation basis by a committee member representing the *Native Title Party* or one of the *Local Governments*.
- (f) The *Local Governments* will arrange for a local government officer to take the minutes of meetings and provide other administrative support services for the *Consultative Committee*.
- (g) The *Consultative Committee* will meet annually or more frequently if determined by the *Consultative Committee* from time to time.
- (h) Wherever possible, the *Consultative Committee* will seek to reach decisions on a consensus basis however the *Consultative Committee* may establish its own rules of operation in that regard.
- (i) Other than as set out in the preceding paragraphs, the *Consultative Committee* may determine its own rules of operation from time to time and a written record of the rules of operation will be maintained by the *Consultative Committee*.

INDIGENOUS LAND USE AGREEMENT (ILUA) REVIEW WITH DARUMBAL

ILUA Factsheet

Meeting Date: 23 April 2024

Attachment No: 2



National
Native Title
Tribunal

Indigenous Land Use Agreements

What is an ILUA?

An ILUA is a voluntary agreement between native title parties and other people or bodies about the use and management of areas of land and/or waters.

An ILUA can be made over areas where:

- native title has been determined to exist in at least part of the area
- a native title claim has been made
- no native title claim has been made.

While registered, ILUAs bind all native title holders to the terms of the agreement. ILUAs also operate as a contract between the parties.

Types of ILUAs

There are three types of ILUAs:

Area Agreements

These agreements can be made where there is no registered native title body corporate (RNTBC) for the entire agreement area

Body Corporate Agreements

These agreements can be made where there is one or more RNTBCs for the entire agreement area, other than for any part of the area where it has been determined that native title does not exist

Alternative Procedure Agreements

These agreements can be made where there is at least one representative body for the area or at least one RNTBC in the area, but not where there are RNTBCs in relation to all of the area.

What can an ILUA be about?

An ILUA can be about any native title matter agreed by the parties, including settlement or exercise of native title rights and interests, surrender of native title to governments, land management, future development, mining, cultural heritage, coexistence of native title rights with other rights, access to an area, and compensation for loss or impairment of native title.

All types of ILUAs can be made about the following matters:

- allowing future acts to be done
- validating future acts that have already been done
- changing the effect of intermediate period acts
- dealing with a native title or compensation application
- relationship between native title rights and other rights and interests
- way in which native title and other rights and interests will be exercised
- compensation
- provision of a framework for making other agreements about matters relating to native title
- other matters concerning native title.

Extinguishment of native title by surrender to government can only be made through area agreements and body corporate agreements.

Matters relating to rights of access to non-exclusive agricultural and pastoral leases under Subdivision Q of the Native Title Act can only be made through area agreements and alternative procedure agreements.



Parties to ILUAs

The persons or bodies that must or may be party to an ILUA, depends on the type of ILUA being made:

	<i>Area Agreement</i>	<i>Body Corporate Agreement</i>	<i>Alternative Procedure Agreement</i>
<i>If there is a registered native title claimant over the area</i>	Persons nominated/ determined or a majority of persons comprising the registered native title claimant/s must be a party	not applicable	may be a party
<i>If there is a RNTBC over the area</i>	must be a party	must be a party	must be a party
<i>For unclaimed or undetermined areas such that there are no registered native title claimants or RNTBCs</i>	one or more must be a party: <ul style="list-style-type: none"> • persons claiming to hold native title • representative body 	not applicable	may be a party
<i>Commonwealth, state or territory governments</i>	must be a party if the agreement: <ul style="list-style-type: none"> • extinguishes native title by surrender • validates future acts which have already been done invalidly • allows for a change in the amount of extinguishment of native title caused by the validation of an intermediate period act otherwise, they may be a party	must be a party if the agreement: <ul style="list-style-type: none"> • extinguishes native title by surrender • validates future acts which have already been done invalidly • allows for a change in the amount of extinguishment of native title caused by the validation of an intermediate period act otherwise, they may be a party	must be a party
<i>Representative bodies</i>	must be a party if there is no: <ul style="list-style-type: none"> • registered native title claimant • RNTBC • persons claiming to hold native title otherwise, they may be a party	may be a party	must be a party
<i>Anyone liable to pay compensation</i>	must be a party if the agreement provides for validation of a future act or for a change in the amount of extinguishment of native title caused by the validation of an intermediate period act	must be a party if the agreement provides for validation of a future act or for a change in the amount of extinguishment of native title caused by the validation of an intermediate period act	must be a party if the agreement provides for validation of a future act
<i>Others such as local governments, miners, pastoralists</i>	may be a party	may be a party	may be a party



How to apply for registration of an ILUA?

An application for registration of an agreement on the [Register of ILUAs](#) must be made in writing to the Native Title Registrar. The Native Title Act, *Native Title (Indigenous Land Use Agreements) Regulations 1999* (Cth) and *Native Title (Prescribed Body Corporate) Regulations 1999* (Cth) set out the information that must accompany the application.

Applications to register any type of agreement must be accompanied by a copy of the agreement and the following information:

	<i>Area Agreement</i>	<i>Body Corporate Agreement</i>	<i>Alternative Procedure Agreement</i>
<i>Parties</i>	✓	✓	✓
<i>Map and description of the agreement area</i>	✓	✓	✓
<i>Map and description of the surrender area, if any</i>	✓	✓	
<i>Signed statement from the parties that the application can be made</i>	✓	✓	✓
<i>Location of particular statements in the agreement</i>	✓	✓	✓
<i>Certification/authorisation statement</i>	✓		
<i>Determination of native title</i>	For any RNTBC party	✓	For any RNTBC party
<i>Certificate under PBC Regulation 9</i>	If there is a RNTBC party	✓	If there is no representative body for the area
<i>Extract from Register of Native Title Claims</i>	If there is a RNTBC party		

Application forms which set out the relevant requirements are available for download from www.nntt.gov.au.

You should email iluas@nntt.gov.au to lodge your application and accompanying documents, or to request assistance or information about an ILUA.

Notification of an ILUA

When an ILUA is lodged for registration and there are no issues of non-compliance, the Registrar notifies certain people and organisations by mail and, for area agreements and alternative procedure agreements, notifies the general public through newspaper advertisements of the agreement.

Body corporate agreements must be notified for a period of one month, while area agreements and alternative procedure agreements must be notified for three months.

Visit the [Public notices page](#) to see which ILUAs are currently in notification.



Opposing registration

The grounds for opposing registration, and the people who can oppose, are limited and specific to each type of ILUA.

Area Agreements

Where the application has been certified by the representative body, a person claiming to hold native title in the area may make an objection in writing to the Registrar, within the three month notification period, against registration of the agreement on the basis that the following were not satisfied:

- all reasonable efforts have been made to ensure that all persons who hold or may hold native title in the agreement area have been identified
- all the persons so identified have authorised the making of the agreement
- any conditions on the authority that relate to the making of the agreement have been satisfied.

Where the application has not been certified, a person claiming to hold native title in the agreement area can lodge a claimant application over the agreement area in response to the notice. If the claimant application is accepted for registration in the relevant time period, the agreement cannot be registered until the registered native title claimant (persons nominated/determined or a majority) become a party to the ILUA. Before deciding whether or not to register an agreement as an ILUA, the Registrar may also consider information that is provided in relation to whether:

- all reasonable efforts were made (including consulting all representative bodies for the area) to ensure that all persons who holds or may hold native title in the agreement area have been identified
- all the persons so identified have authorised the making of the agreement
- any conditions on the authority that relate to the making of the agreement have been satisfied.

The Registrar will consider any valid objections for certified applications or any relevant information provided for uncertified applications, and undertake any required procedural fairness or information exchange process before making a decision about registration of the agreement.

Body Corporate Agreements

A body corporate agreement cannot be registered if, within the one month notification period:

- a party advises the Registrar that the party does not wish the agreement to be registered
- a representative body for any of the area advises the Registrar that no representative body for the area was informed of the native title party's intention to enter into the agreement.

Alternative Procedure Agreements

A person claiming to hold native title in the agreement area may make an objection to the Registrar against registration of the agreement on the ground that it would not be fair and reasonable to register the agreement.

Review of Registration Decisions

Any person aggrieved by a decision made in relation to the registration of an ILUA, may apply to the Federal Court for a review of that decision.

An aggrieved person may request a written statement of reasons for that decision, within 28 days after receiving written notice of the decision, in order to decide whether or not to seek review.

You should consider seeking legal advice if you decide you want to appeal the decision.

Removing the details of an ILUA from the Register

The Registrar must remove details of an ILUA from the Register if:

- a body corporate agreement has been entered into, and a subsequent determination of native title is made that the persons holding native title in the area are not the same as those previously determined to hold it, and the Federal Court has not ordered that the ILUA should remain on the Register
- an area agreement has been entered into, and a determination of native title is made over the agreement area, and any of the persons determined to hold native title is not a person who authorised the making of the agreement, and the Federal Court has not ordered that the ILUA should remain on the Register
- a party advises the Registrar in writing that the agreement has expired and the Registrar believes, on reasonable grounds, that the agreement has expired
- all parties advise the Registrar in writing that they wish to terminate the agreement
- the Federal Court orders the Registrar to remove the details of the agreement on the ground that a party would not have entered into the agreement but for fraud, undue influence or duress by any person, or following a judicial review of the decision to register an agreement as an ILUA under the *Administrative Decisions (Judicial Review) Act 1977* (Cth).

All requests to remove details of an ILUA from the Register must be emailed to iluas@nntt.gov.au.



Amending the details of an ILUA on the Register

There are limited circumstances where the details of an ILUA on the Register can be amended. These include:

- where a party advised that the contact details of the party has changed
- parties agree to update the property description which does not result in any additional areas not previously covered by the agreement
- parties agree to update a description identifying a party including where a party has assigned or transferred rights or liabilities under the agreement
- parties agree to do a thing specified by a legislative instrument.

Such requests must be made in writing to the Registrar and can be emailed to luas@nntt.gov.au.

Assistance the NNTT can provide

The NNTT can assist in various ways including during the negotiation of an ILUA, preparation of an application or when an application for registration has been lodged.

Negotiation assistance

Persons and organisations wishing to make an ILUA may request assistance in negotiating the agreement. Assistance is provided by a Member of the Tribunal and experienced staff.

Preparing an application

The Registrar can assist parties prepare their application and accompanying material for registration, including:

- preparing mapping and technical descriptions of the agreement area
- conducting searches of the NNTT Registers to identify potential native title holders and representative bodies in the agreement area
- providing information about registration requirements.

The Registrar and delegated staff members can also provide comments on draft agreements and applications for registration to help the parties meet the requirements for ILUA registration.

This allows for changes to be made before the agreement is signed by the parties and may prevent delays once the application for registration is made.

Dealing with an objection

If an application for registration of an area agreement has been certified by the relevant representative body, any person who claims to hold native title in the agreement area, can make an objection to registration of the agreement. Parties can ask for assistance in negotiating with the person making the objection, to resolve the matter and have the objection withdrawn.

Making a request for assistance

Any party involved in negotiating or making an application for registration of an agreement can make a request for assistance. When requesting assistance, you should:

- send your request to luas@nntt.gov.au
- specify the type of assistance required
- include reasons why you have made the request and any other attempts you have made to receive assistance from other organisations.

Information on particular ILUAs or copies of agreements

If you have a question about a particular ILUA or would like a copy of the ILUA, please contact the parties to the agreement identified on the Register extract for the ILUA.

You can access a copy of the Register extract for an ILUA by searching the [Register of ILUAs](#).

National Native Title Tribunal
www.nntt.gov.au

Published by the National Native Title Tribunal © Commonwealth of Australia 2021

This fact sheet is provided for general information only and on the understanding that neither the Native Title Registrar nor the Commonwealth of Australia is providing legal or any other professional advice. Appropriate professional advice relevant to your circumstances should be sought.

11.5 WALTER REID CULTURAL CENTRE LEASE RENEWALS

File No: 2210
Attachments: 1. [Layout Plans](#)
Authorising Officer: John Webb - Manager Communities and Culture
Alicia Cutler - General Manager Community Services
Author: Mark Millett - Coordinator Major Venues

SUMMARY

The tenant leases and licenses in the Walter Reid Cultural Centre Expired in February 2024. With tenants now operating on a rolling monthly lease. Council's approval to offer existing tenants new Lease agreements is required.

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to section 236(1)(b)(ii) and (c)(iii) of the *Local Government Regulation 2012* (Qld), Council approve the renewal of the Freehold Leases and Licenses as identified in the report; and
2. Council authorises the Chief Executive Officer (Manager Communities and Culture) to negotiate the terms and conditions of the agreements with the organisations listed in the report in preparation for execution by the delegated officer. These agreements are to be for a period of three years with requirements for usage and activation reporting.

COMMENTARY

In considering the appropriate course of action Council have the following general options:

- Renew all tenancies for another three-year term; or
- Continue on a month-by-month tenancy allowing Council to review usage and seek expression of interest from the current and alternative cultural and recreational users within the community.

The tenants within the Walter Reid Cultural Centre by their nature consist of a membership and/or deliver a service or conduct activities that align with the centre's objectives.

Some organisations are outgrowing the spaces they currently lease but are unable to find alternate accommodation.

Derek Lamb Officina Athelstane Letter Press is currently leasing Space B has been excluded from the renewals list, for consideration as to whether a subsidised rent should be continued to be offered to a private individual. Further discussions and considerations for this area will be presented to Council at a later date.

Lease Space	Leased to	Art Form
Lease K	Central Queensland Contemporary Artists	Contemporary Art -Mostly Painting
Lease F	Rockhampton Lapidary Club Inc	Gems, Jewellery making, sculpture
Lease E	Rockhampton Fibre Arts Inc.	Textile Arts
Lease G	Rockhampton Photography Club Inc.	Photography
Lease N	Capricornia Potters Group Inc.	Ceramics, pottery, Sculpture
Lease H	Rockhampton Rail Modellers Association Inc	Model Making

Lease L	Rockhampton Eisteddfod Association Incorporation	Administrative Arts (performing)
Lease A	Rockhampton Little Theatre Inc.	Performing Arts (drama)
Lease C	Capricornia Printmakers Inc	Printmaking
Lease I & J	Rockhampton Youth Orchestra Inc.	Music, Classical, instrumental
Lease M	Royal Queensland Arts Society (Rockhampton Branch) Inc. Rockhampton Embroiderers Guild Patch Happy	Painting (Oils, Acrylic) Emrboidery (Textiles) Quilting, patching (Textiles)

BACKGROUND

In the 1974/75 Loan Programme, Council made provision for the first stage of a 'Youth Centre' with the second stage being a theatre. The original site planned was not large enough, and the project was split, with the Youth Arts Centre being moved to the Walter Reid Building and the theatre planned for construction along the river as stage 2.

The National Trust and Queensland Treasury showed great interest in the conversion of the Walter Reid Building into an Arts and Craft Centre for the youth of Rockhampton. The Building itself is a fine example of 19th century architecture and has special significance to the city in that it symbolises the dominance of Rockhampton as a mercantile centre during the expansion into, and the development of Central Queensland. For this reason the Trust wholeheartedly supported the Council's actions, especially for its preservation as an Arts and Crafts Centre.

At the time, 1976, the Walter Reid Cultural Centre was recognised by the national trust and treasury to be the most innovative in the state to date, with no other local authority in Queensland undertaking such a project to that magnitude.

Since its initial beginnings and until present day, the Walter Reid Centre has been the envy of many local government authorities, with others attempting to replicate the facility.

The Walter Reid Centre was modified in the early 2000's to accommodate a dedicated theatre (130 seats) and gallery space, following the demolition of the Municipal Theatre (400 seats).

In the early 2010's the Walter Reid was modified once more - this time to accommodate Council offices, which reduced the space available for community and cultural activities. This was partially off-set by reconfiguring the foyer/cabaret space to accommodate additional tenancy. However, this resulted in a loss of fit for purpose rehearsal and cabaret spaces.

PREVIOUS DECISIONS

In November 2013, Council approved the granting of leases and licenses to a range of community arts and recreational groups for various spaces within the Walter Reid Cultural Centre.

In December 2016, Council approved the renewal of lease and licenses of the arts and recreation tenants of the Walter Reid.

In September 2020, Council authorised the Chief Executive Officer to seek Expressions of Interest from the community for tenants that were a fit both for the capacity and amenity of the space that cultural support objectives of the Walter Reid Cultural Centre. This decision was in response to cessation of the Rockhampton Chamber Music Society. The use of this space was granted to the Rockhampton Youth Orchestra.

In March 2022 Council approved lease renewals for 2 years including the addition clauses to capture data regarding usage and activation.

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

This recommendation formulated in consideration of legislative requirements.

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

N/A

CORPORATE/OPERATIONAL PLAN

Our Community

2.1.1 We ensure community assets are utilised and appropriate for the needs of the community

2.1.4 We provide facilities for sports and the arts that encourage community participation and attract elite sporting and cultural events.

CONCLUSION

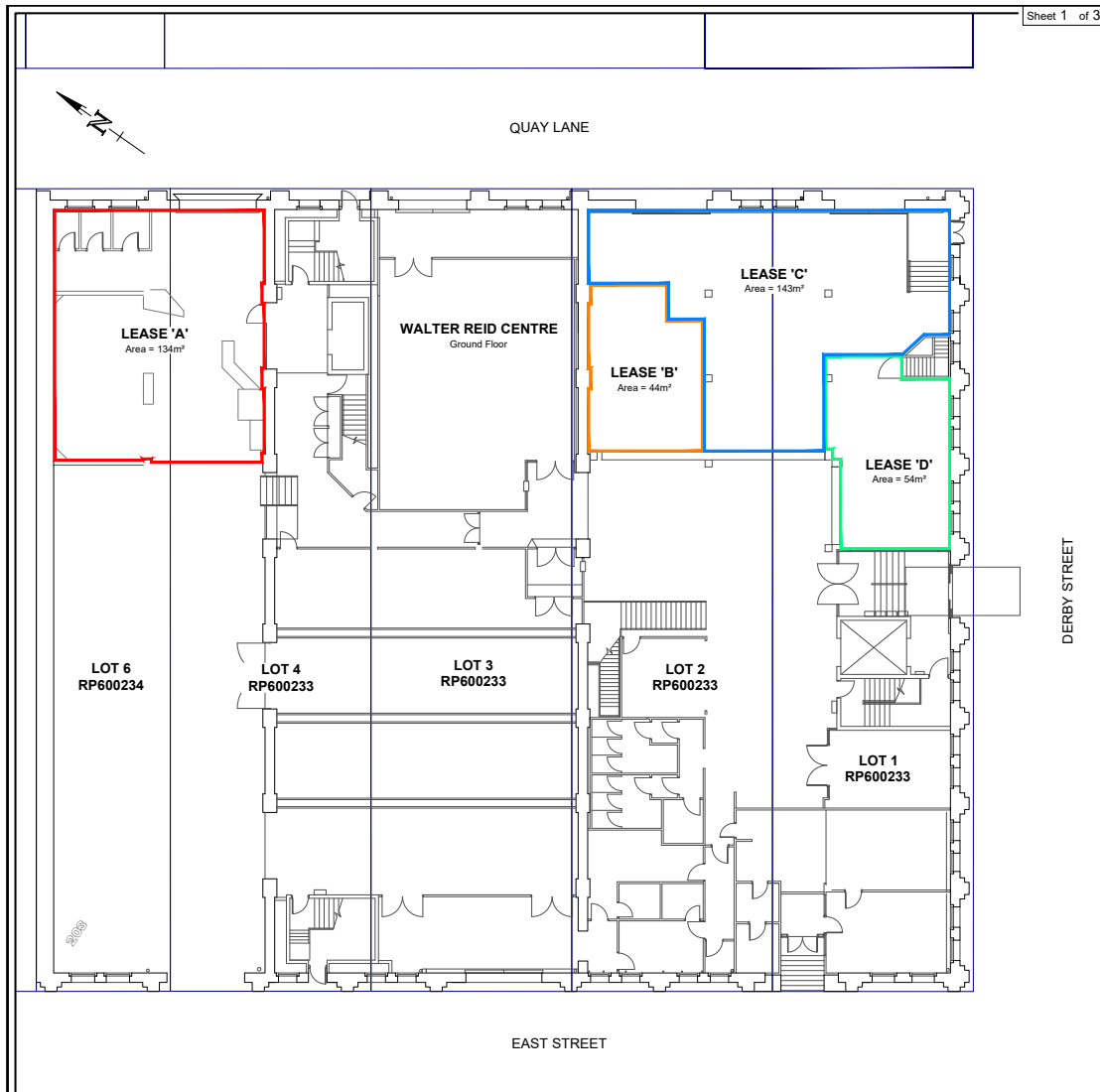
In consideration of community cultural and recreation activities within the region the current tenants should be offered a three year renewal.

WALTER REID CULTURAL CENTRE LEASE RENEWALS

Layout Plans

Meeting Date: 23 April 2024

Attachment No: 1



LAYOUT PLAN - WALTER REID CENTRE
(GROUND FLOOR)
Scale 1:200

PLAN OF: LEASE 'A' being part of the land in
LOT 6 on RP600234 & LOT 4 on RP600233, Rockhampton City

LEASE 'B' being part of the land in
LOT 2 on RP600233, Rockhampton City

LEASE 'C' being part of the land in
LOT 1 & LOT 2 on RP600233, Rockhampton City

LEASE 'D' being part of the land in
LOT 1 on RP600233, Rockhampton City

FOR THE: ROCKHAMPTON LITTLE THEATRE
LEASE 'A' Area = 134m²

OFFICINA ATHELSTANE LETTER PRESS
LEASE 'B' Area = 44m²

CAPRICORNIA PRINTMAKERS
LEASE 'C' Area = 143m²

VACANT
LEASE 'D' Area = 54m²

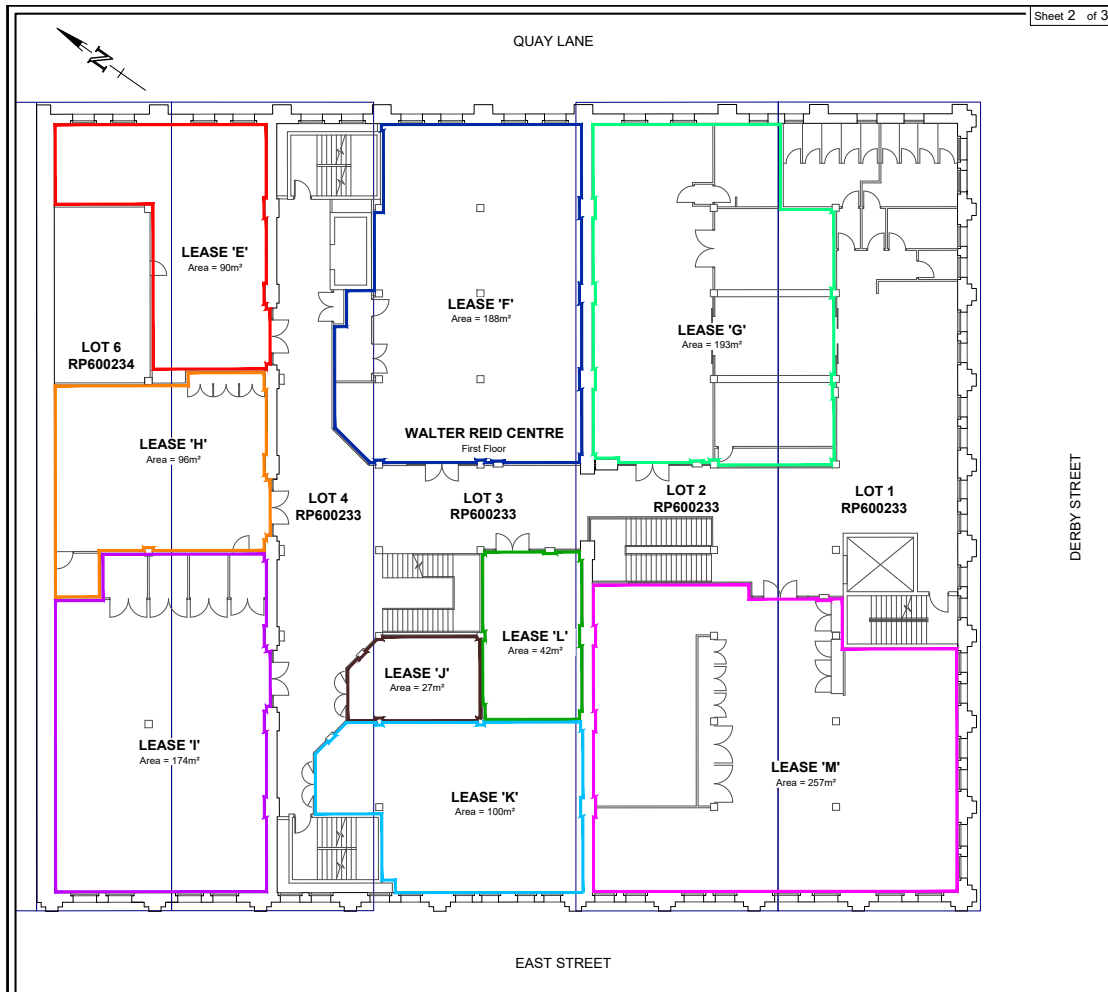
MERIDIAN	RP600233	CHECKED GOV	
LOCAL GOVT.	ROCKHAMPTON REGIONAL COUNCIL	DATE	MAR '22
LOCALITY	ROCKHAMPTON CITY	APPROVED	
PARISH	ROCKHAMPTON		
COUNTY	LIVINGSTONE	DATE	22/06/2023



Dwg No. 2015-024-01C

SCALE AS SHOWN FULL SIZE A3

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LAYOUT PLAN - WALTER REID CENTRE
(FIRST FLOOR)
Scale 1:200

PLAN OF:

- LEASE 'E' being part of the land in LOT 6 on RP600234 & LOT 4 on RP600233, Rockhampton City
- LEASE 'F' being part of the land in LOT 3 & LOT 4 on RP600233, Rockhampton City
- LEASE 'G' being part of the land in LOT 1 & LOT 2 on RP600233, Rockhampton City
- LEASE 'H' being part of the land in LOT 6 on RP600234 & LOT 4 on RP600233, Rockhampton City
- LEASE 'I' being part of the land in LOT 6 on RP600234 & LOT 4 on RP600233, Rockhampton City
- LEASE 'J' being part of the land in LOT 3 & LOT 4 on RP600233, Rockhampton City
- LEASE 'K' being part of the land in LOT 3 & LOT 4 on RP600233, Rockhampton City
- LEASE 'L' being part of the land in LOT 3 on RP600233, Rockhampton City
- LEASE 'M' being part of the land in LOT 1 & LOT 2 on RP600233, Rockhampton City

FOR THE:

- ROCKHAMPTON FIBRE ARTS
LEASE 'E' Area = 90m²
- ROCKHAMPTON LAPIDARY CLUB INC.
LEASE 'F' Area = 188m²
- ROCKHAMPTON PHOTOGRAPHY CLUB INC.
LEASE 'G' Area = 193m²
- ROCKHAMPTON RAIL MODELERS ASSOCIATION INC.
LEASE 'H' Area = 96m²
- ROCKHAMPTON YOUTH ORCHESTRA INC.
LEASE 'I' Area = 174m²
- ROCKHAMPTON YOUTH ORCHESTRA INC.
LEASE 'J' Area = 27m²
- CQ CONTEMPORARY ARTISTS Incorporated
LEASE 'K' Area = 100m²
- ROCKHAMPTON EISTEDDFOD ASSOCIATION INC.
LEASE 'L' Area = 42m²
- ROYAL QUEENSLAND ARTS SOCIETY
LEASE 'M' Area = 257m²

MERIDIAN	RP600233	CHECKED	GOV		Dwg No.
LOCAL GOVT.	ROCKHAMPTON REGIONAL COUNCIL	DATE	MAR '22		2015-024-02B
LOCALITY	ROCKHAMPTON CITY	APPROVED			
PARISH	ROCKHAMPTON				
COUNTY	LIVINGSTONE	DATE	22/06/2023	SCALE	AS SHOWN FULL SIZE A3

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Sheet 3 of 3

LAYOUT PLAN - WALTER REID CENTRE
(SECOND FLOOR)
Scale 1:200

PLAN OF: LEASE 'N' being part of the land in
LOT 6 on RP600234 & LOT 4 on RP600233, Rockhampton City

FOR THE: CAPRICORNIA POTTERS GROUP
LEASE 'N' Area = 207m²

MERIDIAN	RP600233	CHECKED	GOV
LOCAL GOVT.	ROCKHAMPTON REGIONAL COUNCIL	DATE	AUG '14
LOCALITY	ROCKHAMPTON CITY	APPROVED	
PARISH	ROCKHAMPTON	DATE	30-9-14
COUNTY	LIVINGSTONE	DATE	



Dwg No
2015-024-03

SCALE AS SHOWN FULL SIZE A3

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11.6 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2024

File No: 8148

Attachments: 1. [Income Statement - March 2024](#)
2. [Key Indicator Graphs - March 2024](#)

Authorising Officer: Ross Cheesman - Acting Chief Executive Officer

Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 March 2024.

OFFICER'S RECOMMENDATION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 March 2024 be received.

COMMENTARY

The attached financial report and graphs have been compiled from information within Council's TechnologyOne system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1 July 2023 to 31 March 2024), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position after nine months of the 2023/24 financial year. Results should be approximately 75% of budget.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is at 92% of the revised budget. Key components of this result are:

- Net Rates and Utility Charges are at 96% of budget. Council's rates and utility charges for the second six months of the financial year ending 30 June 2024 have been raised and were due on 6 March 2024.
- Private and recoverable works are at 84% of budget. This is mostly due to the timing of the works performed and invoiced.
- Grants and Subsidies are at 65%. This is mainly due to the timing of payments for Federal Assistance Grant and water carting to Mt Morgan.
- Other Income is at 82% mainly due to additional car rental concession income from the Airport.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 72% of the revised budget. Key components of this result are:

- Contractors and Consultants are at 61% due to the timing of the work performed.
 - Asset operational expenses are at 69% due to the timing of payments for services such as electricity which are billed quarterly.
 - Administrative expenses are at 55% as the estimated timing of expenditure for the majority of this account group is later in the financial year for events managed by Community and Culture Unit and Advance Rockhampton.
-

- Other Expenses are at 70% due to the timing of payments for the disbursement of Community Assistance Grants and Sponsorships.
- All other expenditure items are in proximity to budget.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 55% of the revised budget. The majority of capital revenue budgeted to be received in 2023/24 is from grants and subsidies tied to performance obligations. As capital works progress through the year and meet performance milestones, grant funding is claimed.

Total Capital Expenditure is at 58% of the revised budget. The timing of delivery of several projects within the capital expenditure budget has been rescheduled to next financial year reducing the 2023/24 capital expenditure budget to \$143.9M.

Total Investments are \$109.5M at 31 March 2024.

Total Loans are \$121.3M at 31 March 2024.

CONCLUSION

After nine months of the financial year, operational income and expenses are mostly in line with expectations.

The capital program saw \$12.6M spent during March and overall a total of \$84.0M has been expended for the financial year to the end of March. Capital expenditure will need to gain momentum over the coming months to deliver the projects budgeted for the 2023/24 financial year. The timing for delivery of a number of major projects will be reassessed in upcoming budget reviews.

SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2024

Income Statement - March 2024

Meeting Date: 23 April 2024

Attachment No: 1



Income Statement
For Period July 2023 to March 2024
75% of Year Gone

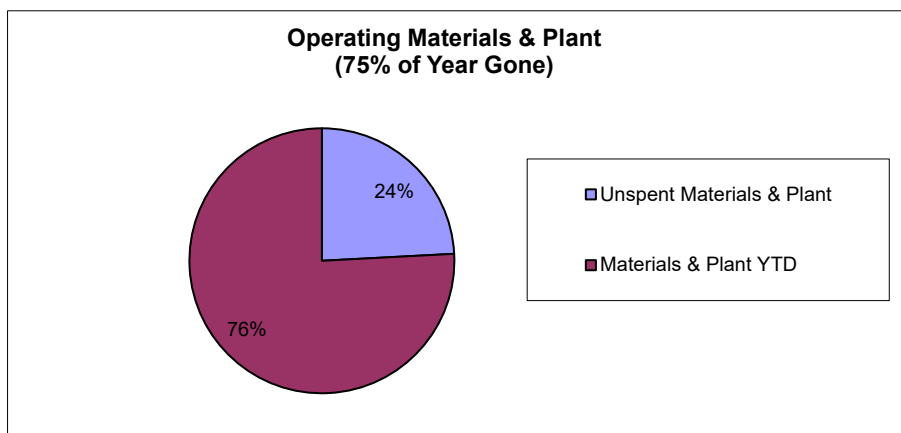
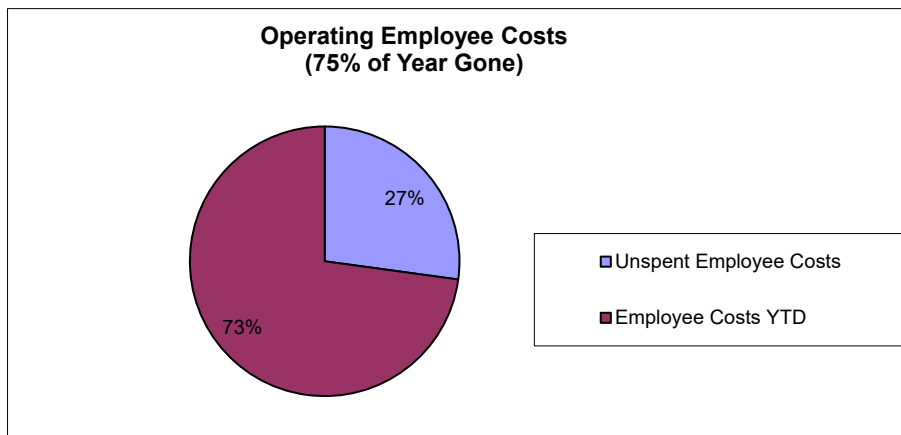
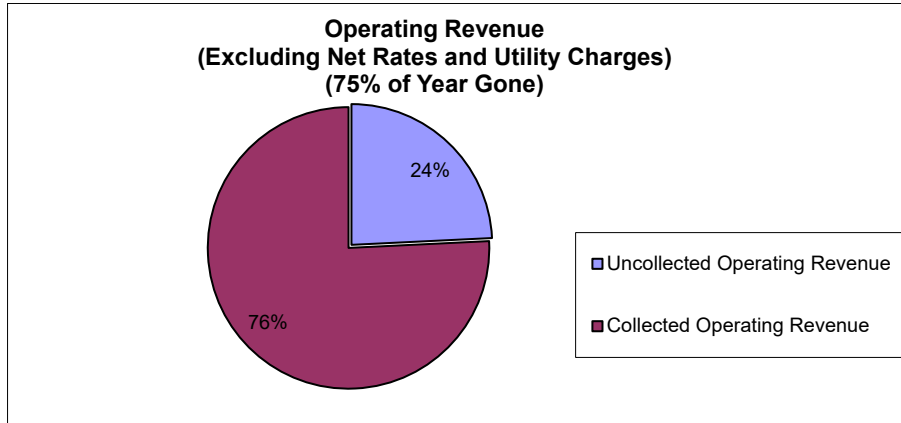
	Adopted Budget	Revised Budget	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Revised Budget
	\$	\$	\$	\$	\$	
OPERATING						
Revenues						
Net rates and utility charges	(187,045,651)	(187,045,651)	(179,065,259)	0	(179,065,259)	96% A
Fees and Charges	(37,940,957)	(38,414,409)	(29,659,015)	0	(29,659,015)	77% A
Private and recoverable works	(6,357,439)	(7,256,661)	(6,105,043)	0	(6,105,043)	84% A
Rent/Lease Revenue	(3,658,701)	(3,662,201)	(2,745,140)	0	(2,745,140)	75% A
Grants Subsidies & Contributions	(11,738,257)	(13,747,208)	(8,920,936)	0	(8,920,936)	65% A
Interest revenue	(3,842,750)	(3,842,750)	(2,915,479)	0	(2,915,479)	76% A
Other Income	(5,583,817)	(6,187,506)	(5,050,553)	0	(5,050,553)	82% A
Total Revenues	(256,167,572)	(260,156,386)	(234,461,425)	0	(234,461,425)	92% A
Expenses						
Employee Costs	99,783,767	99,720,261	72,636,613	248,179	72,884,792	73% A
Contractors & Consultants	26,140,307	28,132,699	17,197,140	10,937,885	28,135,024	61% A
Materials & Plant	20,316,259	21,065,914	15,975,661	6,659,252	22,634,914	76% A
Asset Operational	30,601,904	31,105,891	21,540,683	1,828,896	23,369,579	69% A
Administrative expenses	15,990,307	16,108,507	8,832,493	1,776,463	10,608,955	55% A
Depreciation	67,171,870	67,171,870	51,668,363	0	51,668,363	77% A
Finance costs	3,777,460	3,777,460	2,855,531	0	2,855,531	76% A
Other Expenses	1,331,865	1,311,865	920,973	10,427	931,400	70% A
Total Expenses	265,113,740	268,394,467	191,627,457	21,461,102	213,088,559	72% A
Transfer / Overhead Allocation						
Transfer / Overhead Allocation	(7,474,642)	(7,341,029)	(6,653,382)	0	(6,653,382)	91% A
Total Transfer / Overhead Allocation	(7,474,642)	(7,341,029)	(6,653,382)	0	(6,653,382)	89% A
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	1,471,526	897,052	(49,487,350)	21,461,102	(28,026,248)	-3363% A
CAPITAL						
Total Developers Contributions Received	(7,273,428)	(7,273,428)	(1,797,005)	0	(1,797,005)	25%
Total Capital Grants and Subsidies Received	(55,043,604)	(78,084,403)	(45,391,822)	0	(45,391,822)	58%
Total Proceeds from Sale of Assets	0	(70,000)	(61,755)	0	(61,755)	88%
Total Capital Income	(62,317,032)	(85,427,831)	(47,250,582)	0	(47,250,582)	55%
Total Capital Expenditure	150,637,323	143,914,802	84,042,512	122,088,328	206,130,840	58%
Net Capital Position	88,320,291	58,486,971	36,791,930	122,088,328	158,880,258	63%
TOTAL INVESTMENTS			109,467,432			
TOTAL BORROWINGS			121,252,433			

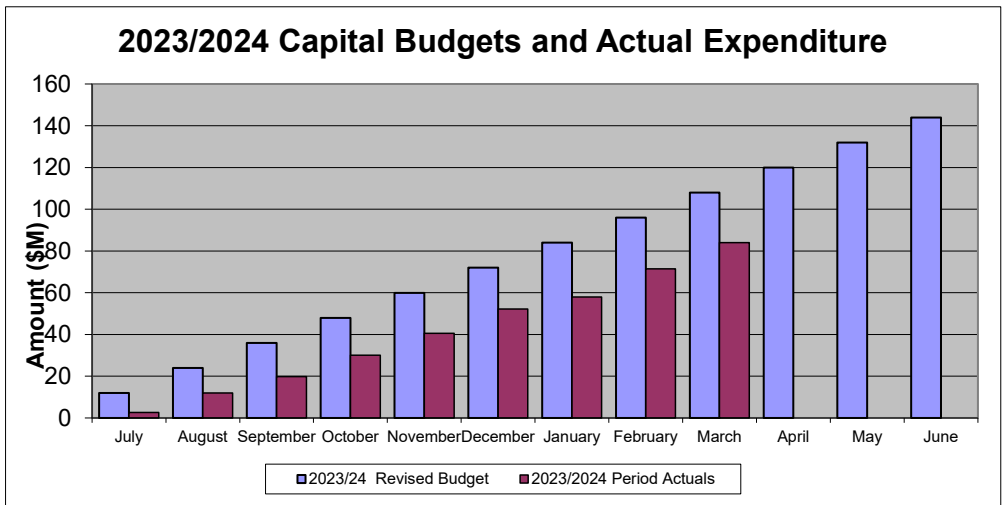
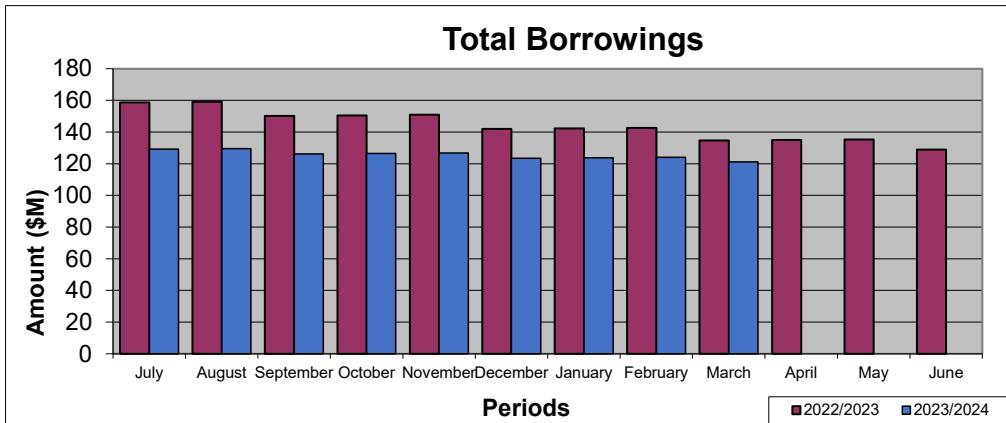
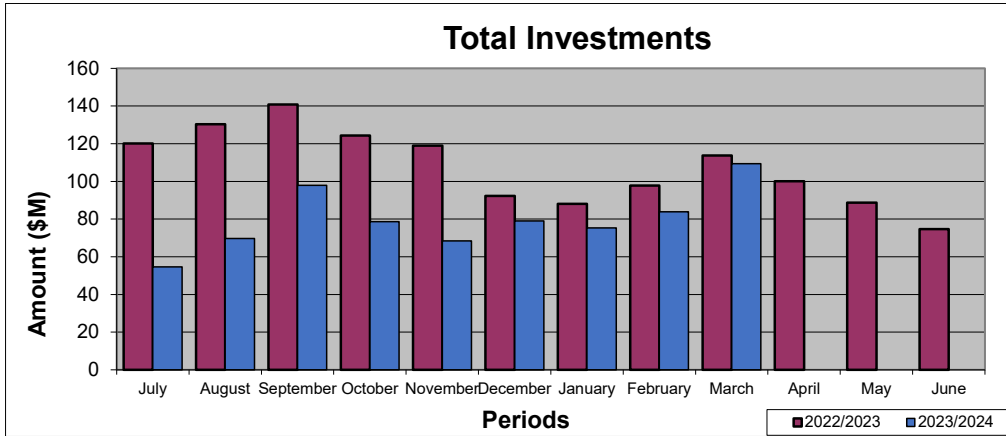
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2024

Key Indicator Graphs - March 2024

Meeting Date: 23 April 2024

Attachment No: 2





**11.7 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD
ENDING MARCH 2024**

File No: 1392
Attachments: 1. WOC Report March 2024 [↓](#)
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

Deputy Chief Executive Officer presenting the Whole of Council Corporate Performance Report for period ending 31 March 2024 for Councillors' information.

OFFICER'S RECOMMENDATION

THAT the Whole of Council Corporate Performance Report for period ending 31 March 2024 be "received".

COMMENTARY

The Whole of Council Corporate Performance Report for period ending 31 March 2024 is presented for Council's consideration.

WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD ENDING MARCH 2024

WOC Report March 2024

Meeting Date: 23 April 2024

Attachment No: 1

Whole of Council



Corporate Performance Report

01 March – 31 March 2024

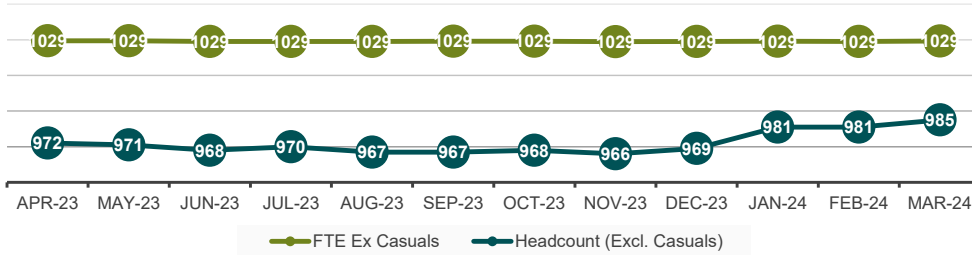
Corporate Performance Report | 01 March 2024 – 31 March 2024

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CORPORATE SERVICES
Human Resources

WORKFORCE



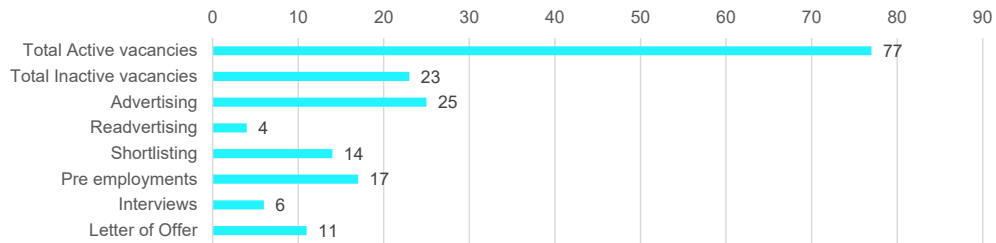
Commentary:

Establishment (FTE) – Our positions include the total number of positions in Council, including Full Time and Part Time. These positions will vary from Permanent roles to Fixed Term roles and the above figures exclude Casuals.

Employees (Headcount) - Our workforce includes the total number of employees employed by Council including full time and part time employees (excludes labour hire and contractors). Figures above show Headcount totals excluding casuals.

Council had 70 Casuals available for month of March.

RECRUITMENT

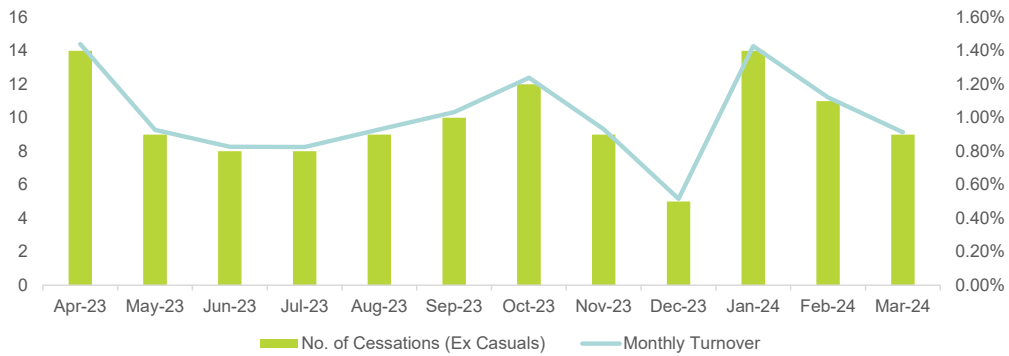


Commentary: Active vacancies are those positions currently being recruited, including casual positions, long term leave and fixed term backfilling. Inactive vacancies are positions that are currently under review or on hold.

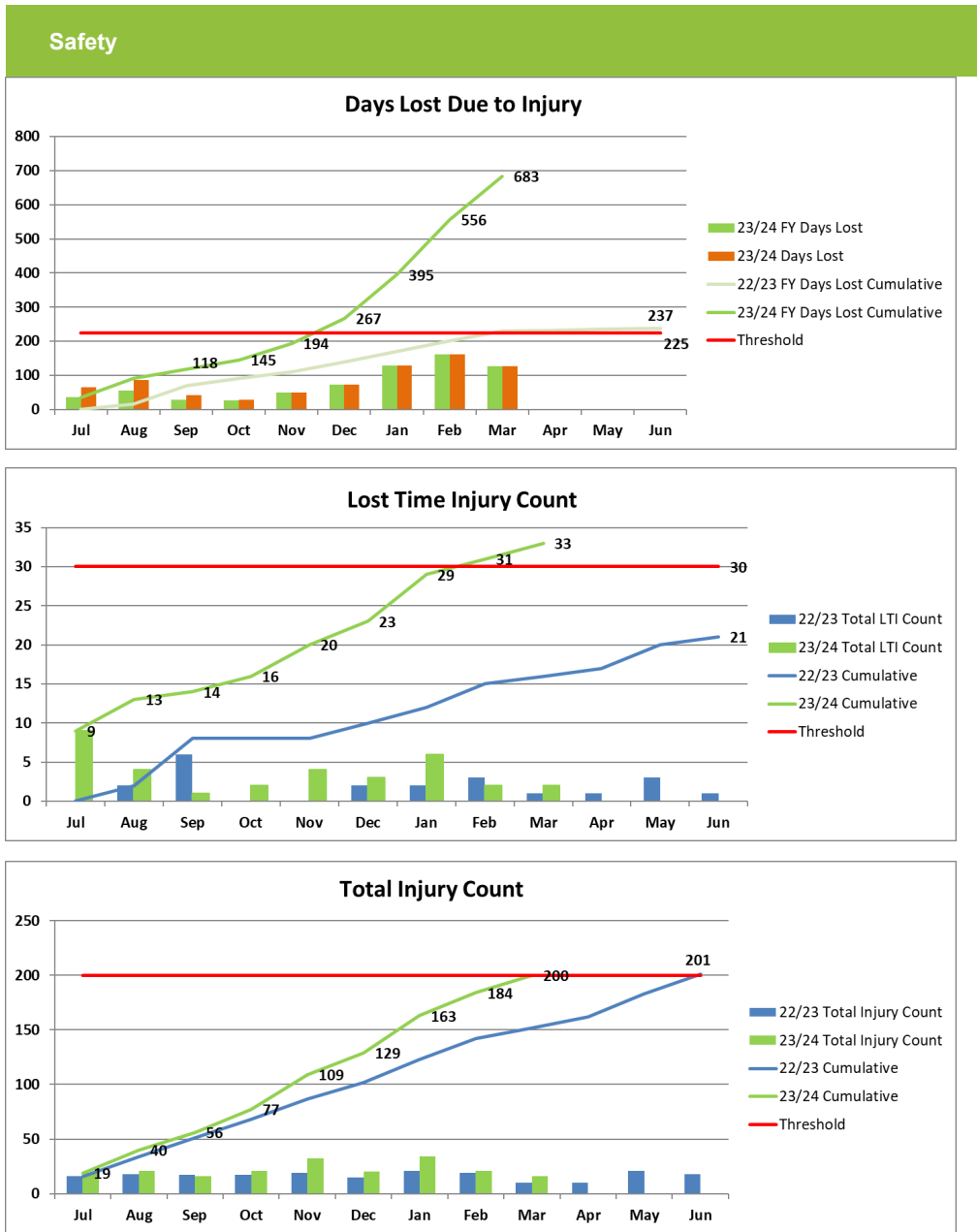
Inactive vacancies for previous month – 20

Corporate Performance Report | 01 March 2024 – 31 March 2024

STAFF TURNOVER - 12.14%



Commentary: Staff turnover for the previous 12 months is 12.14%. This is considered to be an acceptable level of employee turnover. Casual employees are excluded from staff turnover calculations.



Administrative Action Complaints

Departmental Report – Number of level 3 Administrative Action Complaints as of 1 July 2023 – 31 March 2024.

Department	AAC* Level 3	Queensland Ombudsman Referrals to RRC	Queensland Ombudsman Requests from RRC	Open /closed
Office the CEO	0	0	0	-
Regional Services	3	1	1	1 Open 2 Closed
Community Services	8	1	1	1 Open 7 Closed (2 closed, received in 22/23Fy)
Corporate Services	2	0	0	1 Open 1 Closed
RRC Totals	13	2	2	

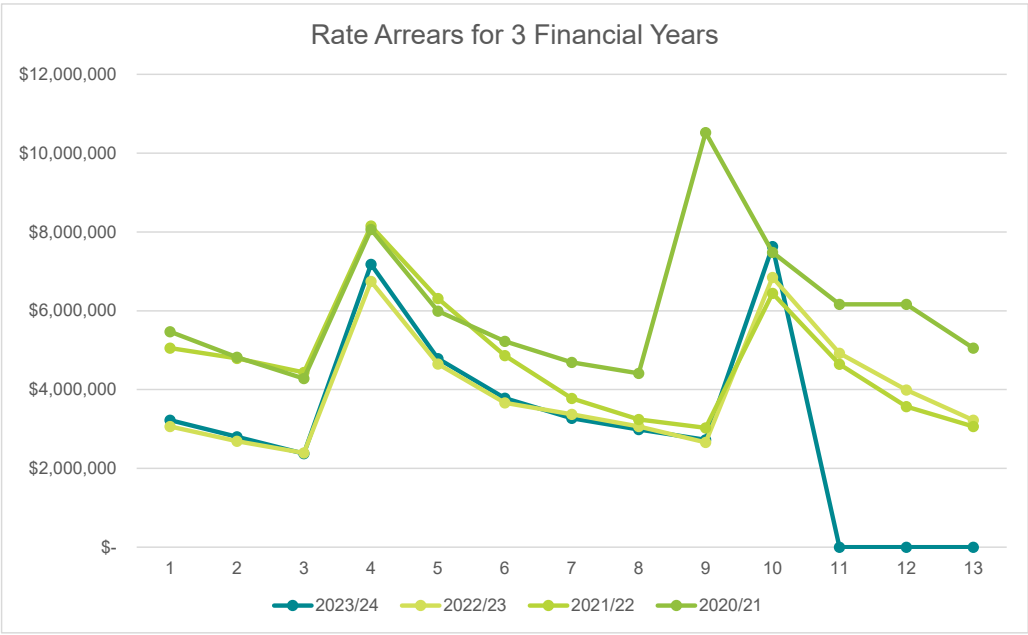
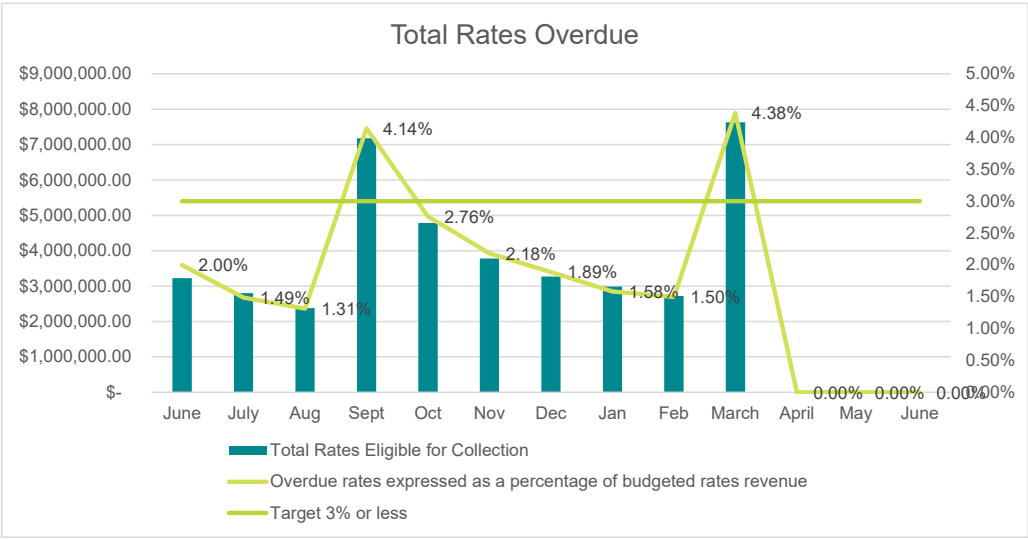
* AAC - Administrative Action Complaints

Service Level Statistics

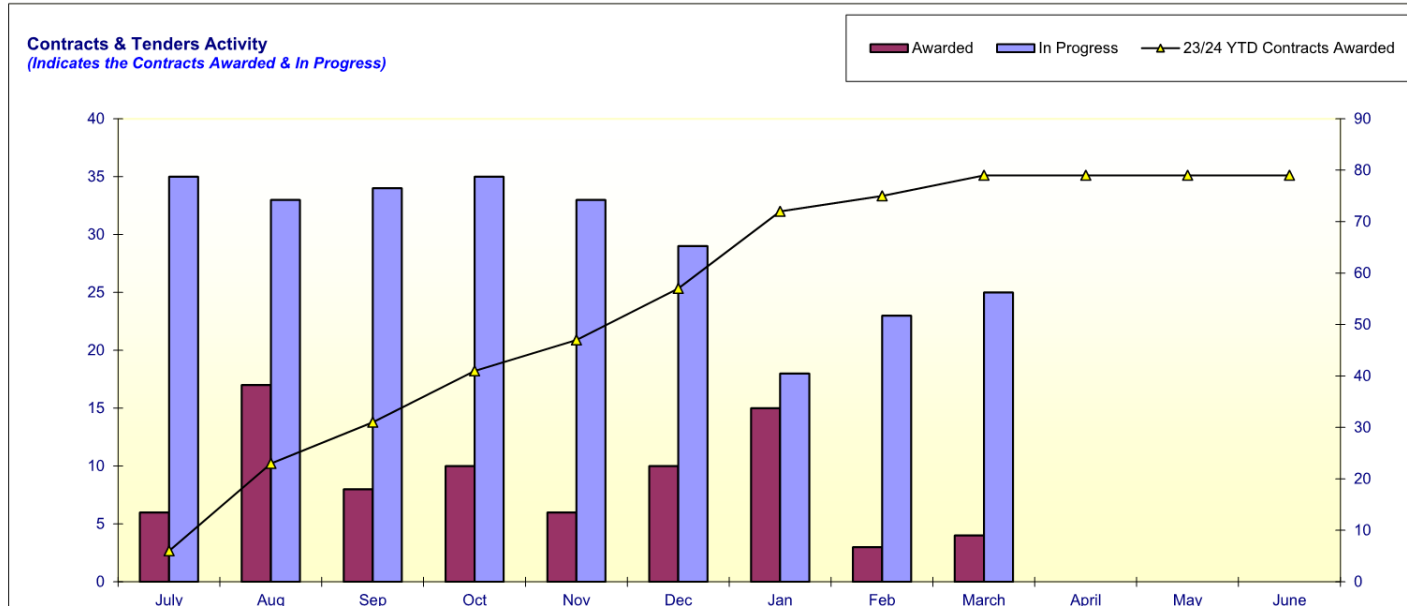
Service Level	Target	Current Performance
Maintain the ratio of customer queries satisfied by Customer Service Officers, without referral to departments.	80%	93%
IT support services provided within service levels outlined in the IT Service Catalogue.	90%	92%
Ensure availability of system up-time during core business hours (excluding planned outages).	99%	100%
Process records on the day of receipt as per Recordkeeping Charter.	95%	98%
Ensure supplier payments are made within stated trading terms.	90%	90%

Corporate Performance Report | 01 March 2024 – 31 March 2024

Rates



Procurement & Logistics



Contracts Awarded: 4

- QUO15791 - Walter Reid Unit Internal Demolition – Busby Demolition & Asbestos Pty Ltd - \$48,537
- QUO15856 - Reconstruction Project - Somerset Road Gracemere - Hendrie Constructions Pty Ltd - \$215,443
- QUO15871 - Quarry & Canning Streets Footpath Works - Shamock Civil Engineering Pty Ltd - \$148,986
- QUO15869 - Zoo Fire Access Road - JRT Civil Pty Ltd - \$84,627

Contracts in Progress: 25

TEN15294 - Kershaw Gardens Playground Precinct Pathway Upgrade - Closing 3 April
QUO15529 - Supply & Delivery of Aluminum Chlorohydrate - Under Evaluation
TEN15595 - Supply of Asphalt Mixture - Under Evaluation
TEN15684 - RPQS Provision of Staff Training & Development - Under Evaluation
TEN15690 - Management of Three Aquatic Facilities - Closing 3 April
TEN15693 - RPQS Hire of Road Reclaimers & Spreader Trucks - Under Evaluation
TEN15698 - Cleaning Services at Various Council Facilities - Under Evaluation
EOI15785 - Organics Processing Solution - Closing 3 April
QUO15102 - Natural Disaster Damage Inspections - recommencement of document development
TEN15834 - Height Safety Inspections - Closing 10 April
TEN15835 - RPQS Sale of Scrap Metal - Under Evaluation
TEN15843 - RPQS for Hire of Impact Crushing Services - Under Evaluation
TEN15844 - Airport HV Infrastructure Upgrade - Under Evaluation
TEN15845 - NRFMA Sewer Access Road Project - Under Evaluation
TEN15850 - CQ Home Assist Trade Services - Closing 17 April
TEN15852 - Operation & Management of Archer Park Rail Museum - Closing 3 April
TEN15853 - Operation & Management of Mt Morgan Rail Museum - Closing 3 April
TEN15854 - LCRL Residual Bales Area Capping Construction - Under Evaluation
TEN15855 - Printing & Distribution of Animal, Water and Rates Notices - Closing 3 April 2024
TEN15857 - Supply & Delivery of Sodium Hypochlorite - Closing 3 April 2024
QUO15863 - Herbicide Flow Units - Document Development
TEN15879 - RPQS Supply & Delivery of Wet Cement - Document Development
QUO15880 - Supply & Installation of Fire Panel - Document Development
TEN15881 - Lease of Land for Commercial Opportunities at the Rockhampton Airport - Closing 1 May 2024
QUO15885 - Fleet Transition Plan - Document Development

Top 100 Suppliers under Contract

The operational target is to have 90% of Council's top 100 suppliers covered by formal agreements. To date 96% of Council's top 100 suppliers are under formal agreements

Customer Request Statistics

Customer Requests Completed Monthly & Top 5 Customer Requests

	March
Requests Logged	3840
Same month Completed	2796
% completed same month	73%
Completed Total for Month	3696
Total Pending	2064
Top 5 Requests for Month	Local Laws Systematic Program Replacement Bin RRC (Damaged/Lost/Stolen) Water Leak Asset Property Search Form Duty Planner (New Enquiry)

Total outstanding customer requests up to 3 months old: 1565

COMMUNITY SERVICES

Directorate

POINTS OF INTEREST

- Another successful International Women's Day event was held on Friday 8th March 2024 at the Walter Reid Cultural Centre Auditorium. Over 60 staff attended the morning event.
- 2023/2024 Round 2 Community Assistance Program funding applications closed on 26th February 2024 with 13 Regional Event and 6 Local Event applications together with 2 Environment and Sustainability applications.
- A webinar on engaging the sporting community, organisation members and volunteers was held on Tuesday 26th March 2024 exploring from a community perspective, strategies that clubs can apply to better engage their members as volunteers. The webinar was just over an hour in duration with 24 registrations. Council received good feedback from webinar participants.

Community Relationships

- Community Relationship Officer (CRO) attended/participated in 14 community engagement/activities external to Council with 15 engagement/activities within Council throughout the month.
- Native Title and Cultural Heritage Awareness Training conducted by legal firm, Holding Redlich (Commercial and Government Law Firm Australia – Brisbane) on 14th March 2024 with 43 staff in attendance. This training covered Council's legal compliance obligations and requirements when granting or receiving tenure interests over state or reserve land.
- CRO engaged with First Nations groups (Darumbal/Gaangalu) on a number of (13) ongoing and new matters between both groups and Council.

Environmental Sustainability

- Council renewed its Memorandum of Understanding with the Australian Government's Reef Authority, continuing participation in the Reef Guardian Council program from 2024-2028. Officers participated in the Reef Guardian Council Working Group meeting on 07 March 2024 and Lunchtime Learning session on micromobility for regional Queensland.
- Sustainability officers reviewed applications to Council's Community Assistance Program - Environment and Sustainability Grants. Two projects were awarded grant funding (Fitzroy Community Hospice Ltd – Waste separation and minimisation; and Capricornia Catchments Ltd – Creek to Reef family fishing day).
- Sustainability officers supported Parks to develop Council's new Street Tree Planting Program for launch on 09 April 2024.
- Sustainability officers supported RRWR to design and prepare a new Bin Health Check Program, for government grant consideration.
- Council's Climate Resilient Rockhampton Region project delivered a climate risk and opportunity prioritisation workshop and a climate risk assessment outcomes workshop for Council staff.
- Sustainability officers submitted a grant application to the Australian Government's Disaster Ready Fund seeking funding support to progress organisational preparedness and governance improvements associated with climate risk management.

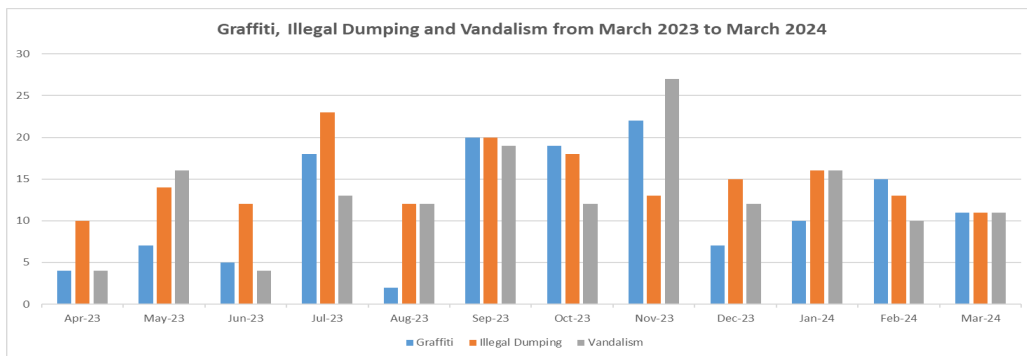
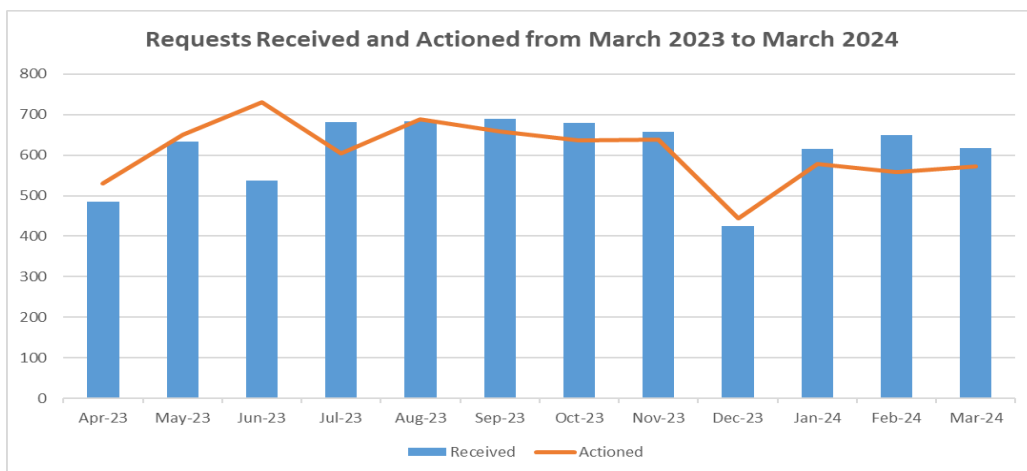
Corporate Performance Report | 01 March 2024 – 31 March 2024

- Sustainability officers worked with NRM delivery partners to support applications as part of the Australian Government’s Urban Rivers and Catchments Program and the Queensland Government’s Skilling Queenslanders for Work program.

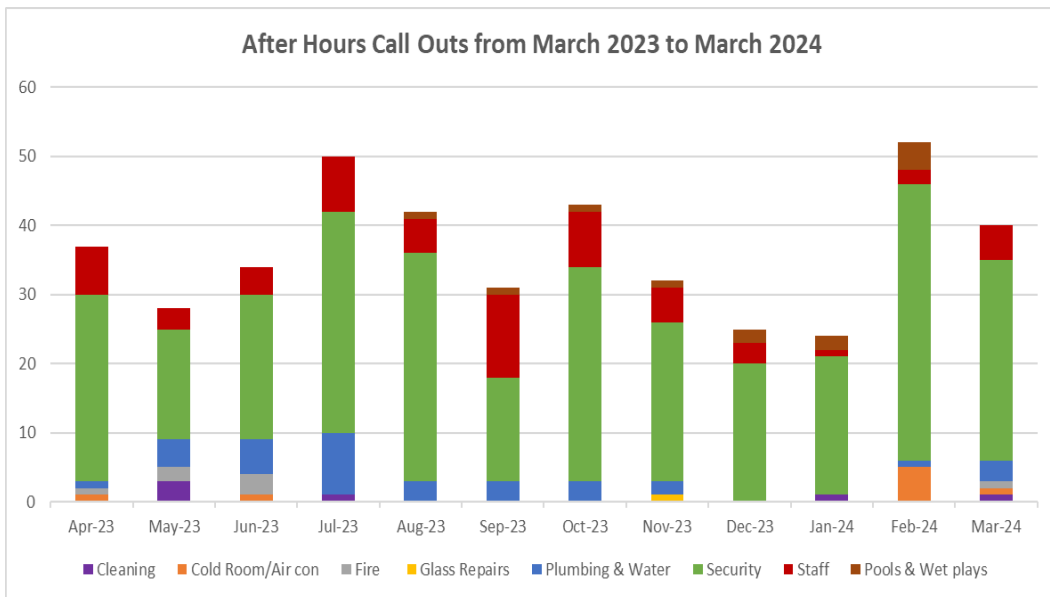
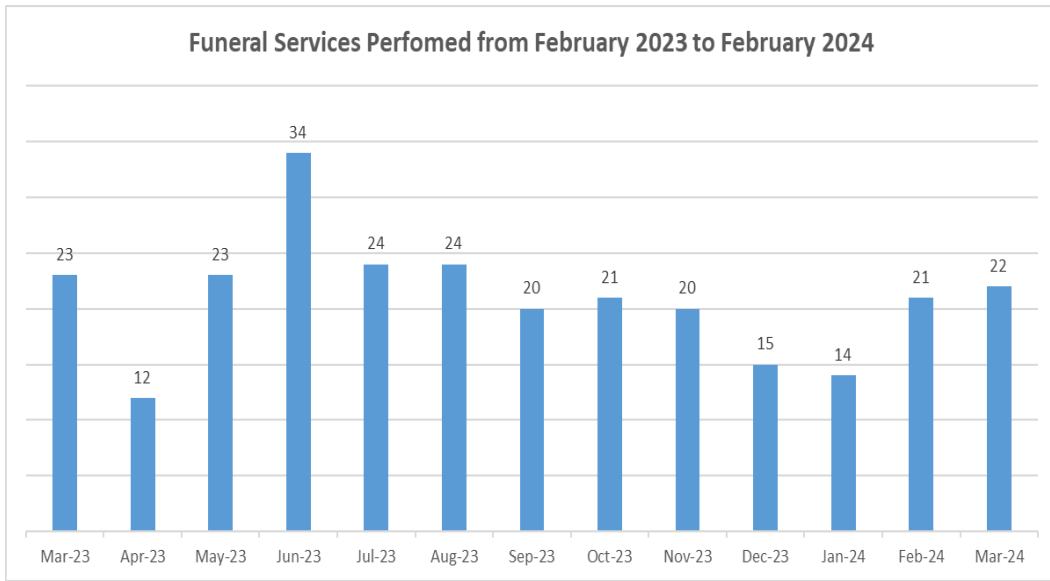
Community Assets & Facilities

POINTS OF INTEREST

- Community Assets & Facilities assisted in the successful delivery of all Rockynats requirements prior to the event.
- The Pool Operational Agreement Tender has been released
- The new Mount Morgan Pool reopened to the public.
- Marmor Play Equipment replacement completed.
- Bartlem Oval Play equipment Replacement
- Dorothy Ball Play equipment replacement in progress.
- Tom Brady Play equipment replacement in progress
- Duthie Park and Kershaw Gardens Carpark reseals/renewals completed.
- Bull refurbishment and preparatory works for beef being undertaken



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Communities & Culture

POINTS OF INTEREST

MAJOR VENUES

The Pilbeam Theatre's Annual Community Musical GREASE entertained nearly 6000 people. Over 100 community members came together to create GREASE, from costumers, singers, dancers to gymnasts. Even mechanics from RRC's own Fleet Service team were involved in delivering the show.

The Pilbeam Theatre also hosted the return of the Qld Ballet to the region, with 2019 being the last visit. For the Qld Ballet, the return to Rockhampton was particularly significant as their new Artistic Director, Leanne Benjamin is a former Rockhampton dancer.

The Walter Reid Cultural was busy, with Rockhampton and Yeppoon Little Theatres co-presentation of short plays – "the long and the short of it". The region's new local professional theatre company Midpointe Theatre presented "GRIT", a production produced by Gympie Theatre Company – Perseverance Street. Regular Rocky Flix continued and the WRCC hosted seminars by local businesses.

The Rockhampton Showgrounds delivered the final Speedway for the 23/24 season which occurred on the same night as the 2024 local government election. The showgrounds also hosted a dog show, Finch and Parrot sale, a local community wake, markets, poultry sale and the Rockhampton Grammar School's formal night.

The latter half of March saw the showgrounds being prepared for Rockynats 04.

LIBRARIES

On Wednesday 14 February, the Library Service held its third First Five Forever (F5F) book giveaway day, to coincide with both Library Lovers' Day and International Book Giving Day. Across the four branches, 700 picture and board books were distributed to children in the 0-5 years' target audience; 970 people attended the libraries specifically for this event and 102 became members on the day.

The event saw good growth in this single giveaway instance with 574 distributed in February 2023 and 497 in April 2023. Libraries have scheduled the second 2024 giveaway day for August, during Children's Book Week, to better balance the events across the calendar year, with the plan that these February and August dates can be locked in going forward.

There was also a surge of interest in the First 5 Forever kits, with 33 kits distributed in February. These kits of 15 quality picture and board books are available free to Rockhampton Region community groups, business and medical/government agencies to have in their waiting rooms or receptions. All stock distributed on book giveaway days and in kits is purchased with the F5F grant money provided annually by the State Library of Queensland.

In March, World Storytelling Day and Very Hungry Caterpillar Day (both March 20) were celebrated by our first storytime at the Zoo for 2024, with 125 people in attendance. The next 6 months will have an alternation of sessions at the Zoo and Southside Library.

Corporate Performance Report | 01 March 2024 – 31 March 2024

LIBRARY STATISTICS	YTD 23/24	22/23	21/22	SLQ target	YTD RRL	22/23 RRL	QLD AV 21/22
Loans (physical & online)	337,890	448,601	427,335	5-8 per capita	4.15	5.47	7.35
Physical visits	148,088	165,490	143,145	4.8 per capita	1.82	2.02	3.03
Web visits (now includes FB)	65,271	20,173	16,628	No target	-	-	-
Programs & activities	810	898	728	No target	-	-	-
Program engagement	40,574	43,328	11,385	0.4 per capita	0.5	0.53	0.27
Active members	20,504	19,791	20,217	44% of pop.	25.15%	24.14%	38.77%
New members	2,271	3,180	2,606	No target	-	-	-
Customer queries	51,969	68,404	65,031	No target	-	-	-
Physical stock	159,981	160,367	177,999	0.85-1.5 per capita	1.96	2.05	1.1

HISTORY CENTRE ATTENDANCE 23 /24

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 23/24	22/23	21/22
176	196	163	158	108	107	132	135	134	-	-	-	1309	1,778	1,715

CHILDCARE STATISTICS UTILISATION % 23/24

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 23/24	22/23	21/22
98	99	99	99	99	94	92	93	96	-	-	-	96	88	96

MAJOR EVENTS ATTENDANCE

Venue Event Attendance	YTD 23/24	22/23	21/22
Pilbeam	42,728	64,130	52,176
R'ton Showgrounds	133,766	169,642	146,947
Mt Morgan Showgrounds	1,452	1,633	N/a
Walter Reid Auditorium	5,436	6,901	6,641
62 Victoria Parade	2,841	4,104	822

Corporate Performance Report | 01 March 2024 – 31 March 2024

Walter Reid CC Total Site Attendance	YTD 23/24
Business Hours	38,136
After Hours	20,584

HERITAGE VILLAGE ATTENDANCE

Heritage Village Visitor Types	YTD 23/24	22/23	21/22
General Admittance	4,592	6,208	4,738
School Tours Numbers	1,517	1,736	1066
Other Tour Numbers	25	286	202
School Holiday Activities July – 6 day period	260	256 (Rain)	1,801
School Holiday Activities Sept – 6 day period	918	374 (Rain)	803
School Holiday Activities Easter	-	731	967
School Holiday Activities June	-	666	-
Cultural Festival	-	-	1,570
Markets	12,688	13,375	2,944
Emergency Service Day, Halloween	-	500	-
TOTAL	20,000	24,132	15,523

Number of Shearing Shed Function Bookings

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 23/24	22/23	21/22
3	6	4	2	5	5	1	1	3	-	-	-	28	35	32

MONTHLY VOLUNTEER HOURS

Site	YTD 23/24	22/23	21/22
Friends of the Theatre	2,647	3,895	4,002
Friends of the Village	17,937	27,517	26,915
Archer Park Rail Museum	1,053	10,819	7,618
Rockhampton Museum of Art	847	869	160
Mount Morgan Railway	6,569	7,933	1,053
TOTAL	38,339	46,664	39,810

RAIL MUSEUMS ATTENDANCE

Museum Attendance	YTD 23/24	22/23	21/22
Archer Park Museum	2,811	5,851	4,713
Mount Morgan Museum	2,302	3,252	2,834

ROCKHAMPTON MUSEUM OF ART

February at RMOA was largely devoted to a complete changeover of all gallery spaces. Changeover was staggered, beginning with the collection space and vitrine space, ensuring that patrons would have something to see when Gallery 1 and Gallery 2.2 were changed over subsequently. This month we launched “Industrial Sabotage” by Stephen Bird and “Collection Focus: Capricornia Printmakers”, wherein artists from the Capricornia Printmaking group were asked to respond to works from the collection, to later be shown side by side.

March was largely dedicated to the install of “Maximum Madness: Art Inspired by Mad Max” and Fernando do Campo’s “Capricornian Minotaurs and Where to Find Them”, both of which were launched on March 15 as a ticketed event, which was well attended. Maximum Madness was designed to coincide with Rockynats 04, and was a big drawcard, attracting a record-breaking 3090 patrons on Easter Sunday, our highest daily attendance on record by a considerable margin. We also sold water and soft drinks to the Rockynats patrons after noticing last year how few venues were selling drinks along the Riverbank.

Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
11,718	6,879	6,770	9,256	5,730	4,255	5,021	4,426	10,776	-	-	-

RMOA Activity	YTD 23/24	22/23	21/22
Programs	381	321	124
Member Events	13	17	9
Group Tour Bookings	28	55	9
Corporate Hire	18	21	15
Exhibitions	13	13	9
Artist in Residence (days)	40	82	Na
Shop Sales	\$73,572	\$80,313	Na
Attendance	64,831	81,678	32,248

HOME ASSIST

*This program provides services to the following local government areas:
Rockhampton, Banana, Central Highlands, Gladstone, Livingstone*

State Government – Department of Communities, Housing & Digital Economy –**Home Assist Program**

Measured Service Type	Reporting Hrs/ Month	Monthly Output Target	Year To Date Actual	Output Service Delivery Targets
Info Refer	93 hrs	105 hrs	1,922 hrs	1,268.26
Home Maintenance	586 hrs	775 hrs	5,630 hrs	9,300.55

CQ Home Assist Secure assisted 385 State Funded clients with a total of 615 information, referral and maintenance activities in March.

March Breakdown of Client Services Provided by Region			
Region	Number of Registered Clients	% of Clients Serviced for Month	% YTD Avg
Rockhampton	2,303	63	67
Banana Shire	61	1	1
Central Highlands	57	1	1
Gladstone	513	14	12
Livingstone	893	21	19
TOTAL	3,827	100	100

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CHSP – Federal Funding

Measured Service Type	Current Month Outputs	Monthly Output Service Delivery Target	YTD Actual	Financial Year Service Delivery Target
Garden Maintenance	207 hrs	See below	See below	See below
Major Home Maintenance	201 hrs	See below	See below	See below
Minor Home Maintenance #incl Field Officer Travel, First Interviews/Info Refers Minor Home Maintenance Field Officer Additional Hours	492 hrs	See below	See below	See below
Total measure output hours	900 hrs	467 hrs	6,978 hrs	5,613 hrs
Complex & Simple Mods	\$23,897	\$43,473	\$295,273	\$521,685

CQ Home Assist Secure assisted 777 Federally Funded clients with a total of 1,057 information, referral, maintenance and modification activities in March.

March Breakdown of Client Services Provided by Region			
Region	Number of Registered Clients	% Total Clients Serviced for Month	% YTD Avg
Rockhampton	1,820	54	56
Banana Shire	95	2	1
Central Highlands	89	1	1
Gladstone	858	20	20
Livingstone	901	23	22
TOTAL	3,763	100	100

The program CQ Home Assist Secure handled a total of 2,512 calls in March.

Parks

ZOO VISITATION, ENCOUNTERS & COMMUNITY INVOLVEMENT

Measure	Measurement	March 2024	March 2023
Zoo Visitors	Numbers	10,336	9,351
Animal Encounters <u>CONDUCTED</u>	# Meerkat Encounters	24	23
	\$ Meerkat Encounters	\$5,200	\$4,800
	# Otter Encounters	2	-
	\$ Otter Encounters	\$165	-
	# Snake Encounters	0	-
	\$ Snake Encounters	\$0	-
	# Junior Zookeeper	0	-
	\$ Junior Zookeeper	\$0	-
	Encounters Free	0	1
	\$ Equivalent Free	\$0	\$400
Gift Vouchers	# Combined encounters	9	-
	\$ Combined encounters	\$860	-
Tours (Time Safaris)	#Bookings	31	-
Volunteers / Students	Volunteer Hours	345	413
	Student Hours	35	16
Guest donations	Donation \$	\$1,446.30	\$834
	Online donations	\$30	\$0
Money RRC donated to Conservation Trust	15% Encounters	\$1,182.34	\$1,437.82
	15% Donations	\$221.45	\$125.03
	Total	\$1,403.79	\$1,563
Facebook	Facebook Followers	41,524	31,899
	Facebook Reach	228,132	332,107

Corporate Performance Report | 01 March 2024 – 31 March 2024

	Facebook Engagements	10,152	27,198
Media	Media Opportunities	2	4
	Media Exposures	19	52
	ASR (Advertising Sales Rate)	\$59,380	\$5,700
	Media Reach	112,660	616,000

- Construction is continuing of the front entrance building including multipurpose room, reptile enclosures and toilets.
- Storytime at the Zoo saw 125 members of the public attended.

PARKS OPERATION

- Parks Operations have been working hard to get on top of seasonal grass growth around the region as well as assisting with Rocky Nats 04 preparation.
- River Rose Drive roundabout planting has been completed in conjunction with Civil Operations opening the road.
- Dean Street roundabout has been replanted.
- Feez Street roundabout concrete apron works have been completed. This provides an improved work zone for Parks teams through greater separation from traffic.

ARBORICULTURE & STREETSCAPES

- Mulching and horticulture maintenance within the CBD area and high-profile parks and areas over the last three months, to ensure a well-presented area for events.
- Preparations have continued for the Street Tree Planting Program. Nominations open on the April 9.
- Finalising 2023 -24 Open Space Tree Planting program (300+ trees).
- Planning for National Tree Day 2024.

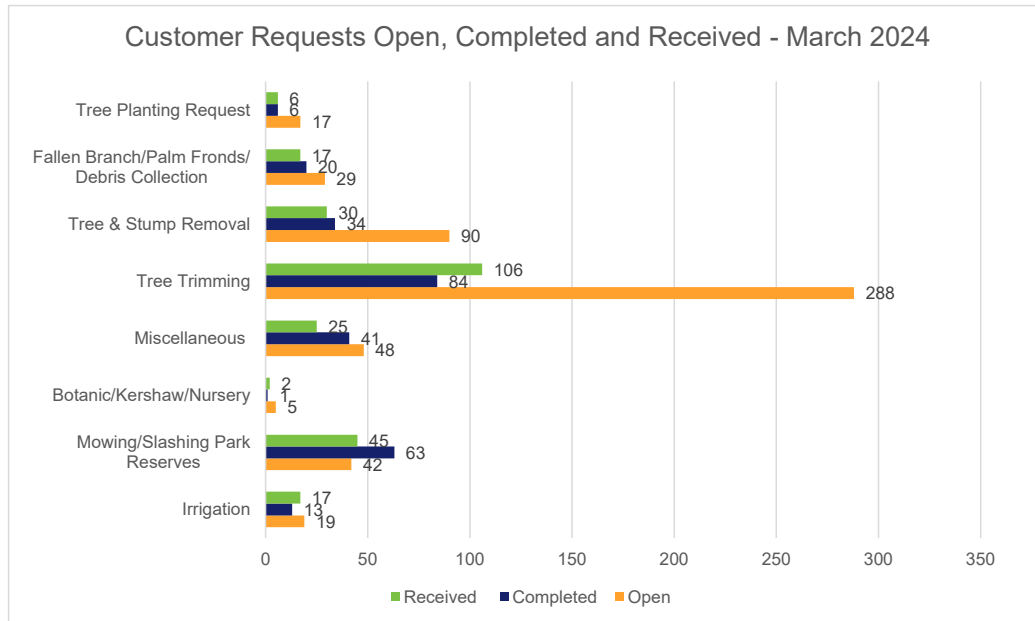
Latest stats for tree requests over the past three month period. Crews main focus over the past four week period has been completing RockyNats prep work, which has affected their normal work scheduling within the suburbs.

Data:	31st January	27 th February	26 th March
Total completed January/February and March	239		
Total received January/February and March	210		
Tree trimmings over 3 months old	87	85	88
Tree and stump removals over 3 months old	30	34	35
Tree trimmings in total	251	239	247
Tree and stump removals in total	108	88	85
Outstanding pathways over 3 months old	117	119	123
Outstanding pathways in total	359	327	328
Jobs sitting with contractors	4	12	5
Waiting for stump grinding before completion off system	10	7	10
Jobs received since last reporting period	23	35	48
Street tree planting requests - total	24	28	28

BOTANIC, KERSHAW, NURSERY & NACP

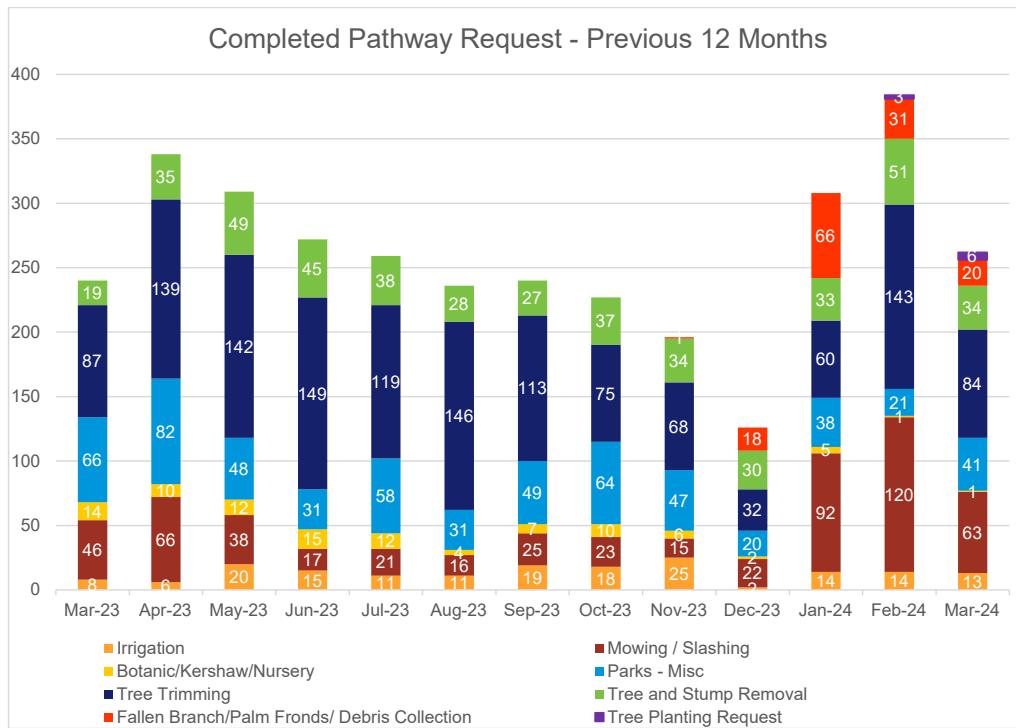
- Bollard works have been completed by Jobs QLD along Ann Street outside the Golf Course.
- Dowling Street carpark reseal has been completed.
- Colour Me Capricorn 2024 was successfully held at Kershaw Gardens.
- Nursery has provided 1204 plants for the Parks Section plantings and 420 plants to Fitzroy Basin Association for revegetation projects.

PARKS PATHWAY REQUESTS



- Additional codes Tree Planting Request & Fallen branch/Palm Fronds/Debris Collection introduced in December 2023.

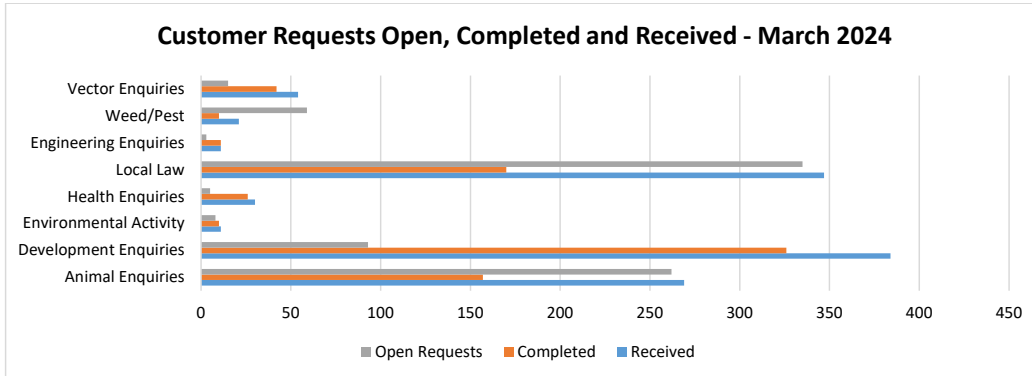
Corporate Performance Report | 01 March 2024 – 31 March 2024



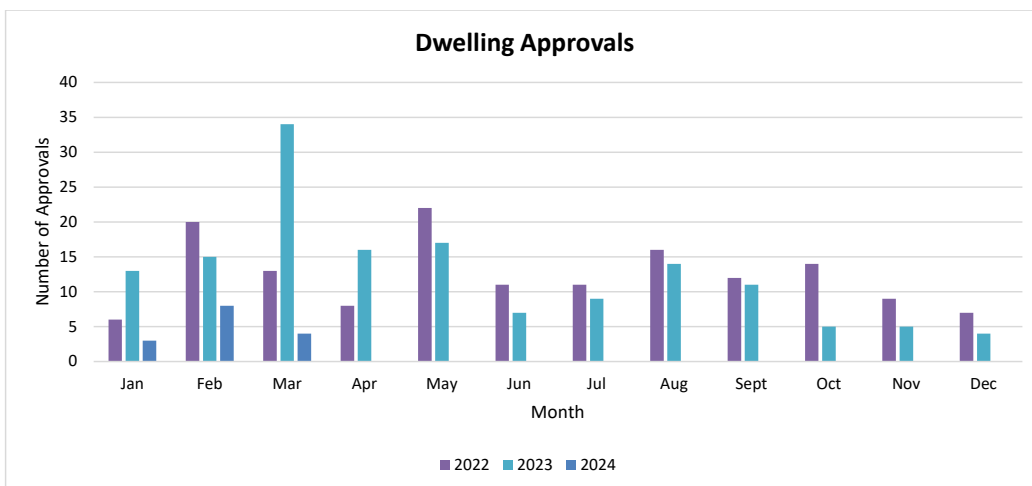
Planning & Regulatory Services

POINTS OF INTEREST

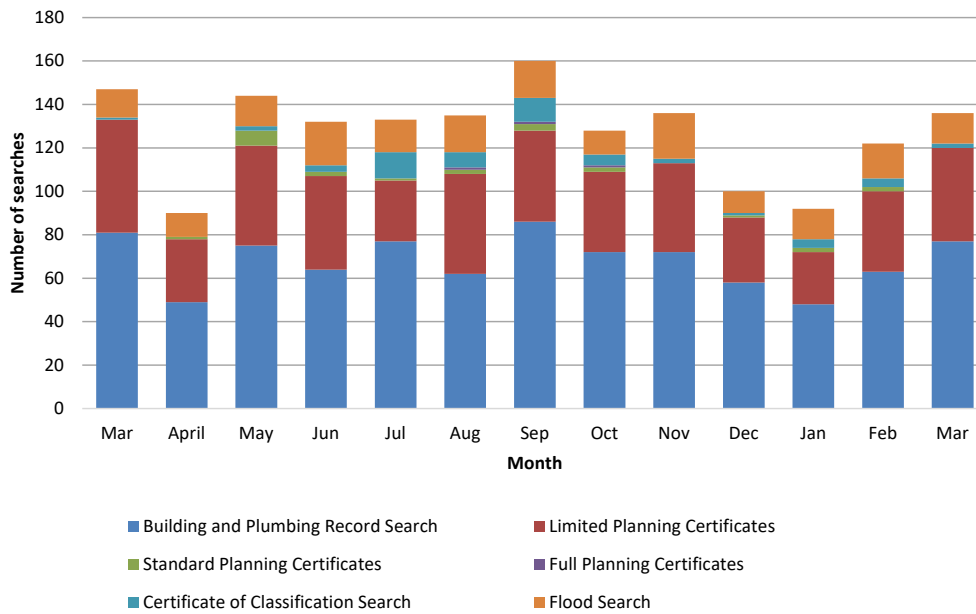
During March, the Pest Management and Waste and Recycling teams worked together to undertake a feral animal control program at the Lakes Creek Road Landfill. This program resulted in the destruction of invasive animals including foxes, feral cats and deer.



Open Requests – total number of customer requests currently 'open' and under investigation
 Completed – the number of requests completed in March that were received in March
 Received – the number of requests received in March



Property Searches Completed in the last 12 Months

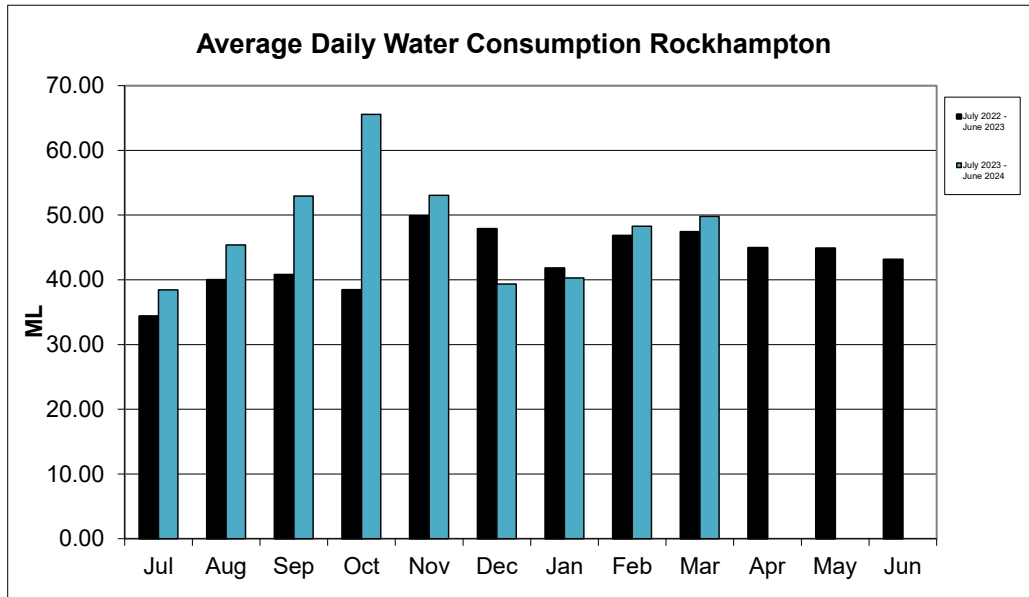


REGIONAL SERVICES
Fitzroy River Water

Drinking Water Supplied

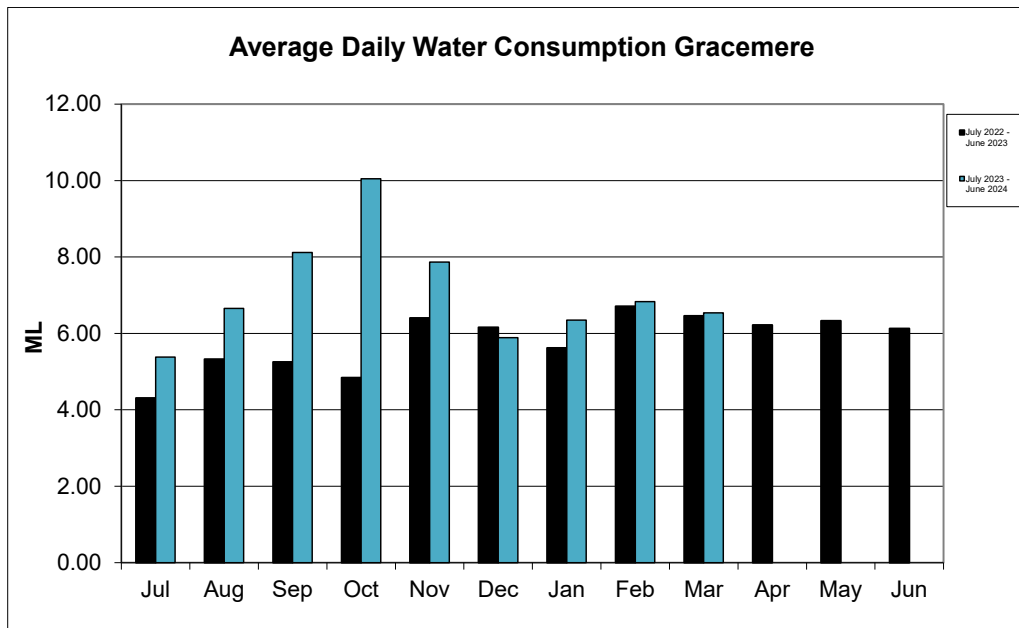
Data is presented in graphs from July 2022 to June 2023 and July 2023 to June 2024.

Rockhampton



Average daily water consumption during March (49.80 ML per day) increased compared to that recorded in February (48.27 ML per day) and was slightly higher than that reported in the same period last year. Increased consumption could be attributed to the lack of significant rainfall during March.

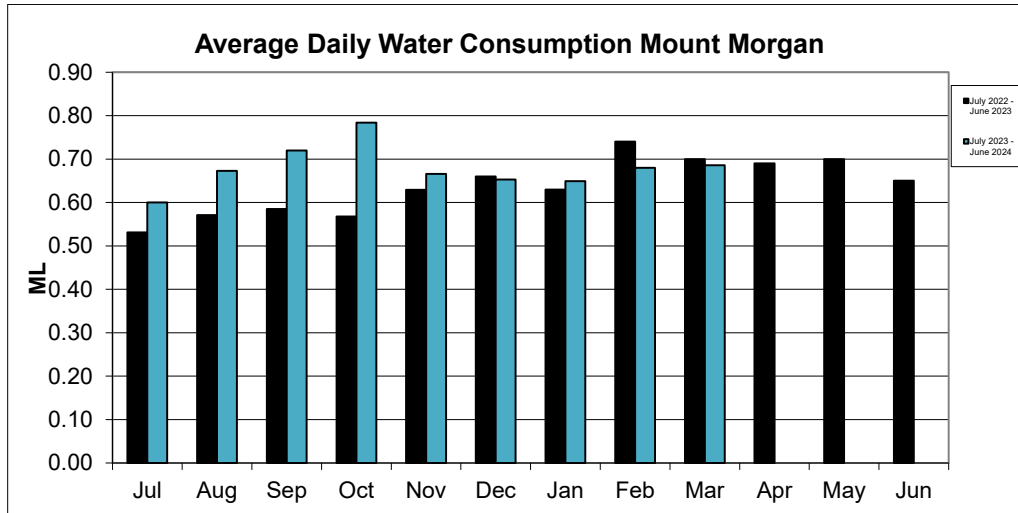
Gracemere



Average daily water consumption during March (6.54 ML per day) decreased compared to that recorded for February (6.83 ML per day) but was slightly higher than that reported in the same period last year.

The Fitzroy Barrage Storage is currently at greater than 100% of accessible storage volume and remains above the threshold in the Drought Management Plan used to trigger the implementation of water restrictions.

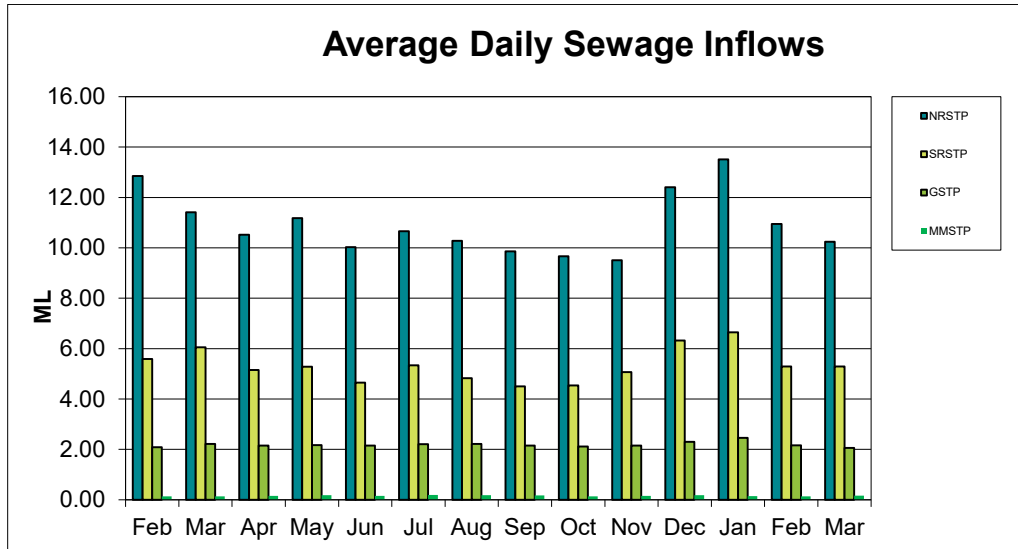
Mount Morgan



Average daily water consumption during March (0.69 ML per day) was comparable to that recorded for February (0.68 ML per day) and was slightly lower than that reported in the same period last year.

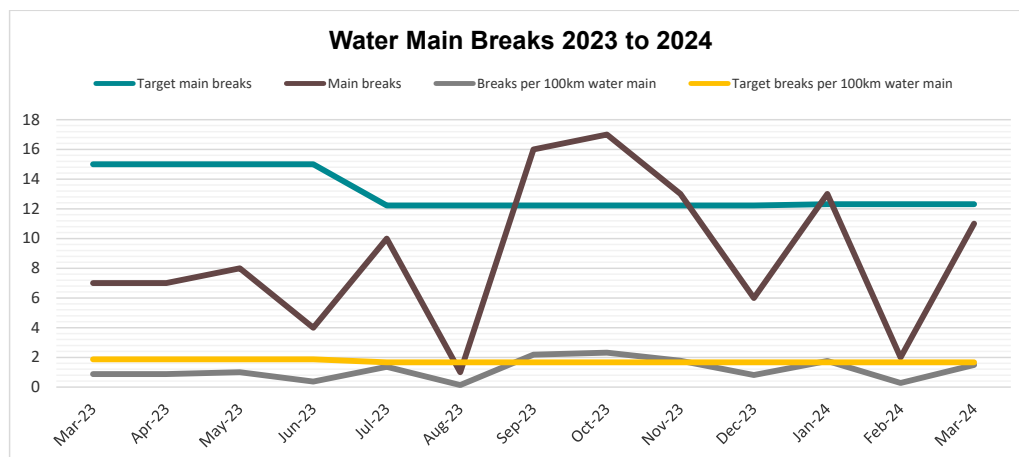
Mount Morgan was on Level 6 Water Restrictions for the month. Mount Morgan No. 7 Dam storage was at 94% at the end of March. The town water supply continued to be 100% reliant on potable water carted in water trucks from Gracemere throughout March with preparations well advanced for a return to utilising the water treatment plant to treat water from the No. 7 Dam by mid-April.

Sewage Inflows to Treatment Plants



Average daily sewage inflows during March decreased at North Rockhampton and Gracemere STPs, remained the same at South Rockhampton STP but increased slightly at Mount Morgan STP when compared with the previous month. All STPs recorded lower inflow compared to the previous year except for Mount Morgan.

Regional Water Main Breaks



Performance

Target achieved with an increase in water main breaks when compared to previous month. Changing weather conditions (extreme heat and rainfall events), changes in consumption and resulting ground movement could be contributing factors to recent failures in addition to age of assets and operating conditions.

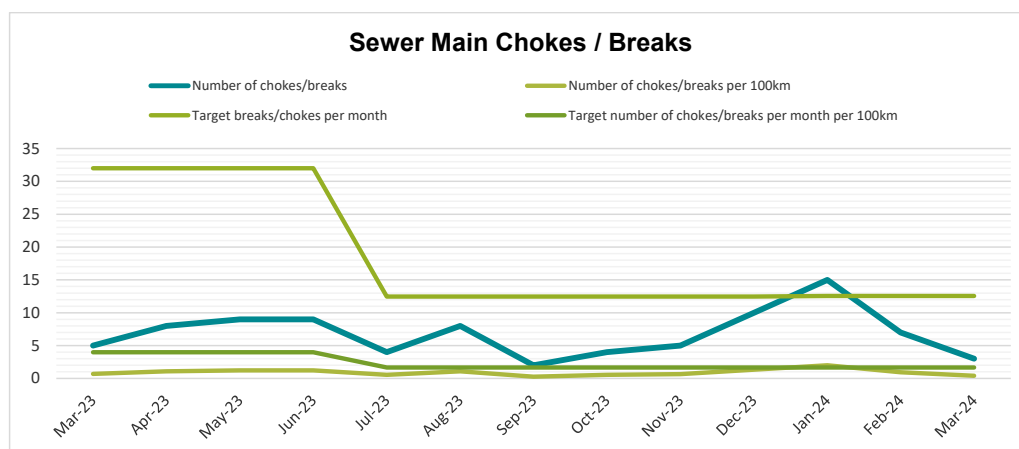
Response to Issues

Continued defect logging and investigation of main break causes. District metering and pressure management used to assist with determination of the cause of failures. Water mains experiencing repeated failures are assessed against specific criteria for inclusion in the annual Water Main Replacement program.

	Number of Main Breaks	Target Main Breaks	Breaks per 100 km	Target Breaks per 100 km
March	11	12	1.49	1.67

Locality	Main Breaks
Rockhampton	9
Mount Morgan	2
Regional Total	11

Rockhampton Regional Sewer Main Chokes/Breaks



Performance

Target achieved with a noticeable decrease in sewer mainline blockages during this month. Mainline blockages continue to generally be caused by fat deposits and root intrusion.

Issues and Status

Data indicates that a high percentage of blockages/overflows continue to be caused by fat build up and defective pipes allowing tree root intrusion.

Response to Issues

Continue defect logging and CCTV inspection following each individual blockage for prioritisation and inclusion in the Capital Sewer Main Relining program. Rehabilitation programs are also in place annually for the repair of defective mainlines, property connections (jump ups), access chambers and combined lines.

	Number of chokes/ breaks	Target chokes/breaks per month	Number of chokes/ breaks per 100 km	Target number of chokes / breaks per month per 100km
March	3	13	.0.4	1.67

Locality	Surcharges	Mainline Blockages
Rockhampton	1	3
Mount Morgan	0	0
Regional Total	1	3

Water Meter Replacement

	Number completed	FY to date totals
Reactive Replacement	198	2759
Planned Replacement	0	0
Regional Total	198	2759

Water meter replacements continue to be carried out on a reactive basis, failed meters and meters meeting select criteria are replaced. Reinstatement of the capital water meter replacement program has been provided for in the current capital budget and the recent decision by Council to support the proposed bulk replacement of aged meters will eventually result in a significant reduction in reactive meter replacements.

Rockhampton Regional Waste and Recycling

Compliance

Background

As reported within the Whole of Council Corporate Performance Report period ending April and July 2023, Rockhampton Regional Waste and Recycling (RRWR) received a letter from the Department of Environment, Science and Innovation (DESI), regarding pre-enforcement for alleged contravention of section 426 (1) of the Environmental Protection Act 1994. This letter followed a site inspection by the DESI on 3 May 2023.

The allegation relates to unauthorised filling of waste in the ‘residual bales area’ that has occurred between 2015 and 2022. Note that pre-existing waste has been historically landfilled in this area. RRWR immediately ceased filling waste in this area and provided a letter of response to DESI on 21 July 2023.

On 27 July 2023, a Direction Notice was received. The Direction Notice was issued on the grounds Council has contravened a prescribed provision, namely section 426 (1) of the Act which states, “a person must not carry out an environmentally relevant activity unless the person holds, or is acting under, an environmental authority for the activity.

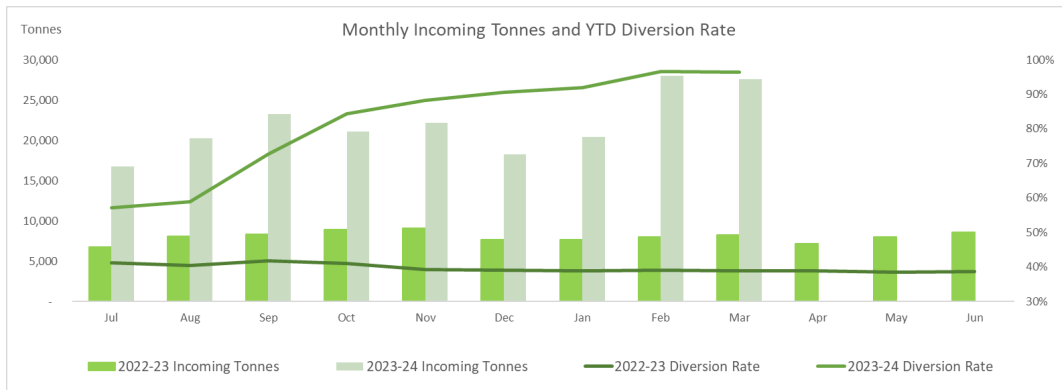
Note that the area relating to the contravention is an area of the Lakes Creek Road Landfill that was historically used for waste filling and where waste filling commenced again in 2015 for residuals from the Materials Recycling Facility and other Inert Wastes.

Outcome

RRWR now report that on 7 March 2024, DESI repealed the Direction Notice and have since provided communication confirming that this case has been closed out.

RRWR are currently in the process of rehabilitation this area of the Lakes Creek Road Landfill, as agreed with DESI, with the construction of a final capping system. These works are scheduled for completion within 2024.

Total Incoming Tonnes



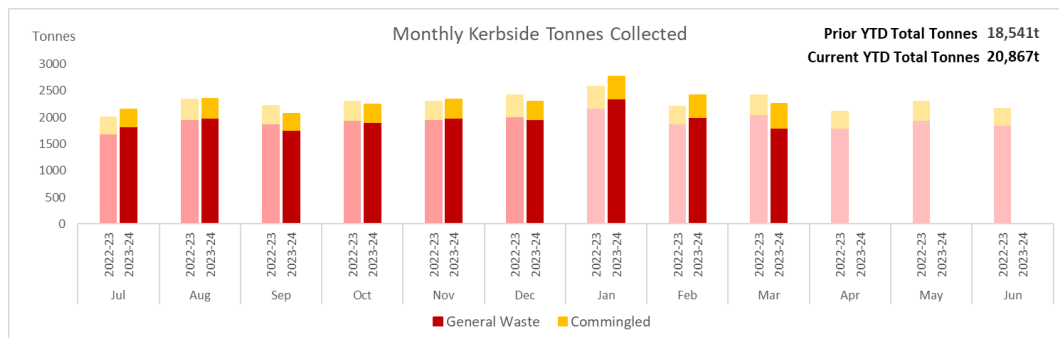
Reading this Chart

Diversion rate is % of incoming waste we recover as opposed to burying in landfill. This is a strategic KPI measuring our progress to zero waste to landfill by 2050. Incoming tonnes is an indicator of the waste generation trends in our region, and the impact our current strategies are having on reducing those trends. Current year performance is shown in pale green.

Current Commentary

Incoming tonnes in March are up compared to the same period last year, driven by changes in State Legislation that demands the inclusion of Clean Earth as a Waste. Note that Clean Earth is not landfilled, rather used under an Operational Use Exemption for the purpose of landfill operations. Therefore, our March YTD diversion rate is above 70% due to an increase in incoming Clean Earth for Operational purposes.

Kerbside Tonnes



Reading this Chart

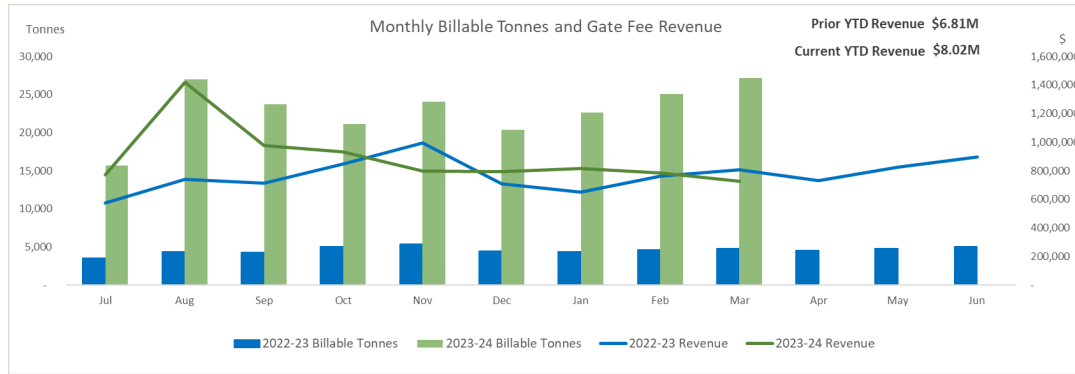
Showing total waste generation and recovery rates at the kerbside, providing an indicator of the extent to which we are diverting household waste and meeting our strategic KPI to reduce household waste by 25% by 2050.

Current Commentary

YTD kerbside tonnages are smaller than previous year for General waste with a slight increase in our Commingled tonnages. For the month of March, Commingled represents 16% of total tonnes.

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Billable Tonnes



Reading this Chart

This is a critical measure of waste facility activity levels, the long-term financial sustainability of the business unit, as well as being a relatively strong indicator of economic activity levels in our region. Current year performance is shown in green.

Current Commentary

March revenue remains above budget and is made up of ongoing increased levels of commercial and industrial and asbestos waste.

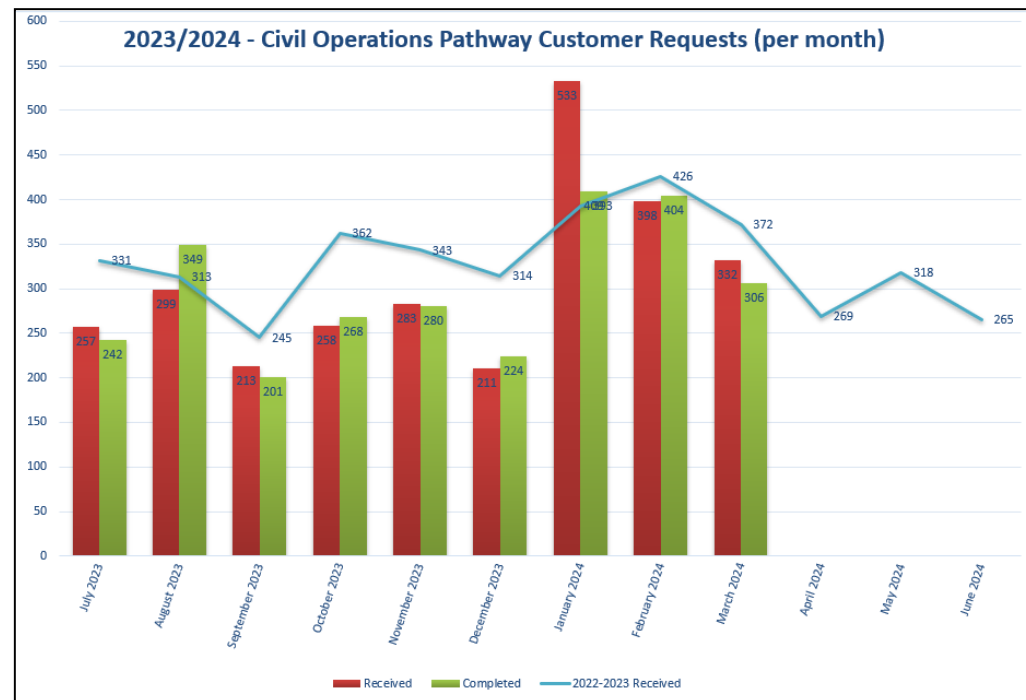
Civil Operations

CUSTOMER REQUESTS

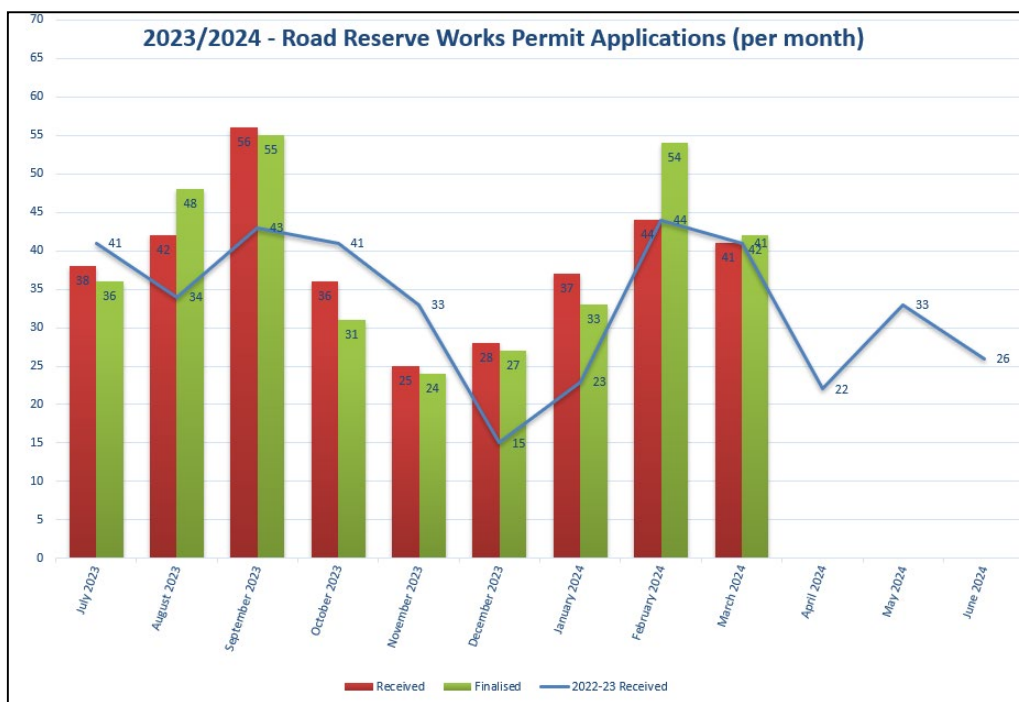
Received – March 2024	Total Received YTD
332	2,784
Completed – March 2024	Total Completed YTD
306	2,683

Comments

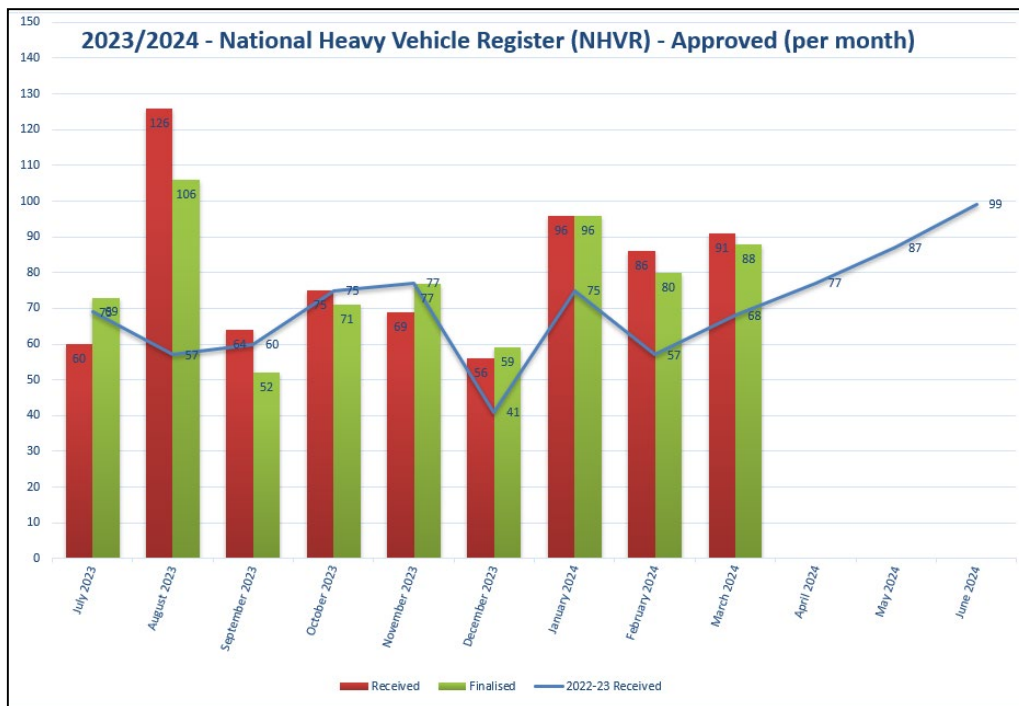
- Major increase in customer requests following the recent heavy rainfall;
- There has been an increase customer requests relating to drainage (ie. blocked inlets/pipes and localised flooding concerns);
- Increasing requests for grading of unsealed roads and roadside slashing following rainfall.



ROAD RESERVE WORKS PERMIT APPLICATIONS	
Received – March 2024	Total Received YTD
41	347
Finalised – March 2024	Total Finalised YTD
42	350
Comments	
<ul style="list-style-type: none"> • Rockhampton Ring Road permits temporarily resolved with DTMR. Works on local roads have commenced (i.e. Canoona Rd and Monier Rd); • Defect walkthrough and rectification requirements currently being resolved with BMD for Laurel Bank Rd widening and Ski Gardens Rd upgrade works. 	

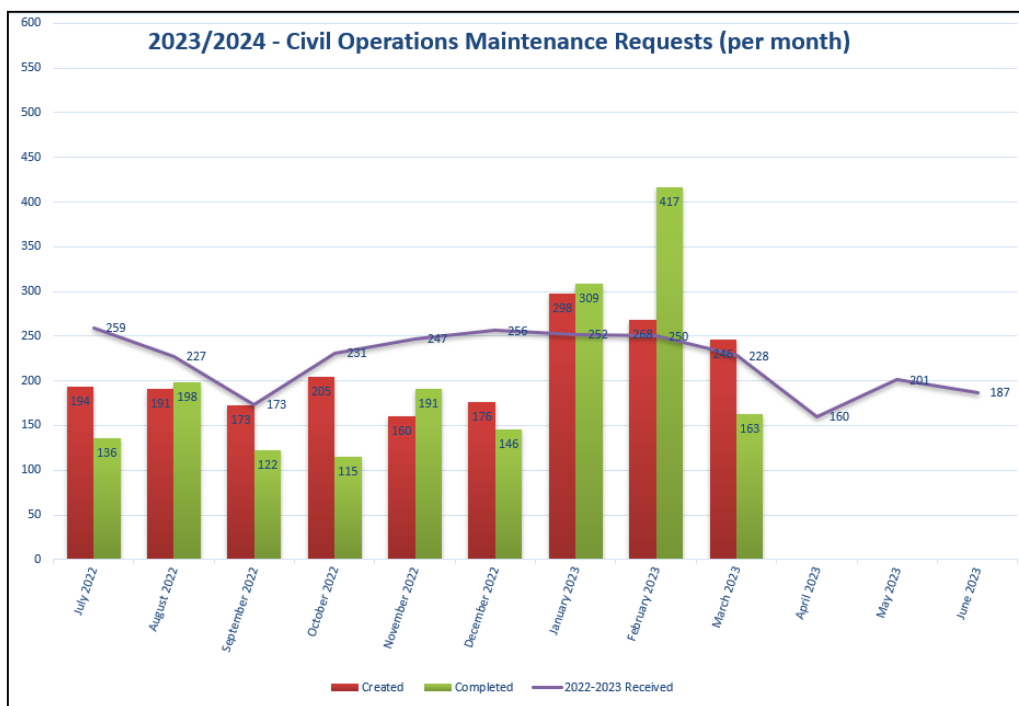


NATIONAL HEAVY VEHICLE REGISTER (NHVR) - APPROVED	
Received – March 2024	Total Received YTD
91	723
Completed – March 2024	Total Completed YTD
88	702
Comments	
<ul style="list-style-type: none"> Noted additional PBS permits have been submitted and are likely associated with material haulage for the Rockhampton Ring Road; Notable increases in heavy vehicle traffic expected on Fairy Bower Rd between Capricorn Highway and existing quarry site; New approved route mapping tool now operational on the NHVR portal. 	



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MAINTENANCE REQUESTS	
Created – March 2024	Total Created YTD
246	1,911
Completed – March 2024	Total Completed YTD
163	1,797
Comments	
<ul style="list-style-type: none"> Increases due to rain events and preparation works for Rockynats Expecting increases in street sweeping, drainage and pothole requests due to the recent rains; Expecting increases in bio-basin and grass channel slashing. 	

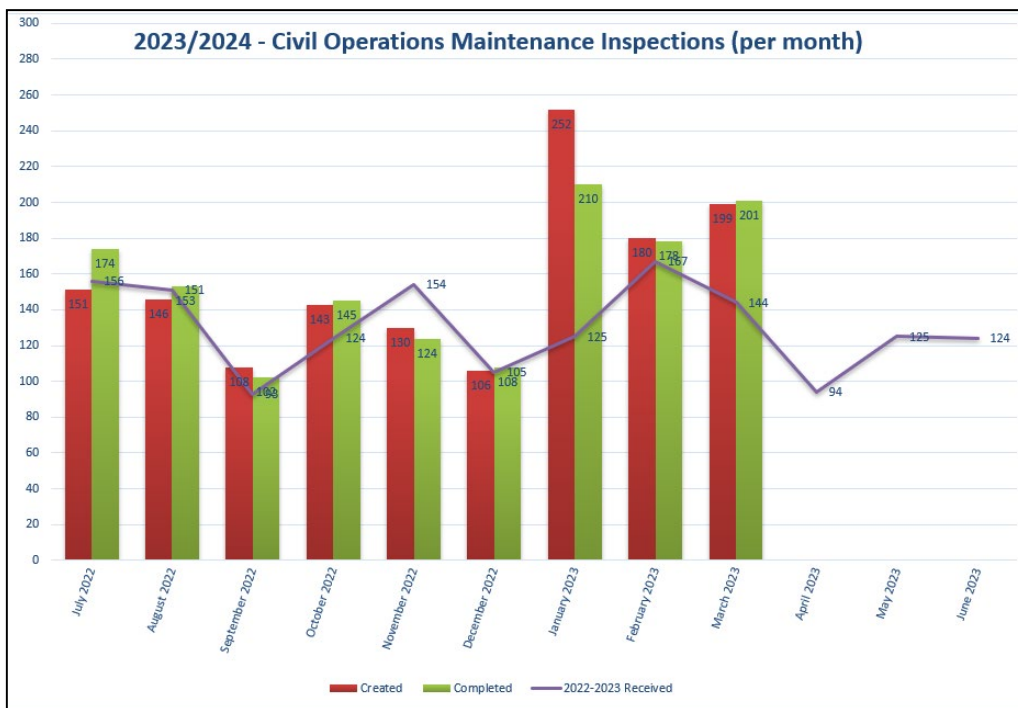


MAINTENANCE INSPECTIONS

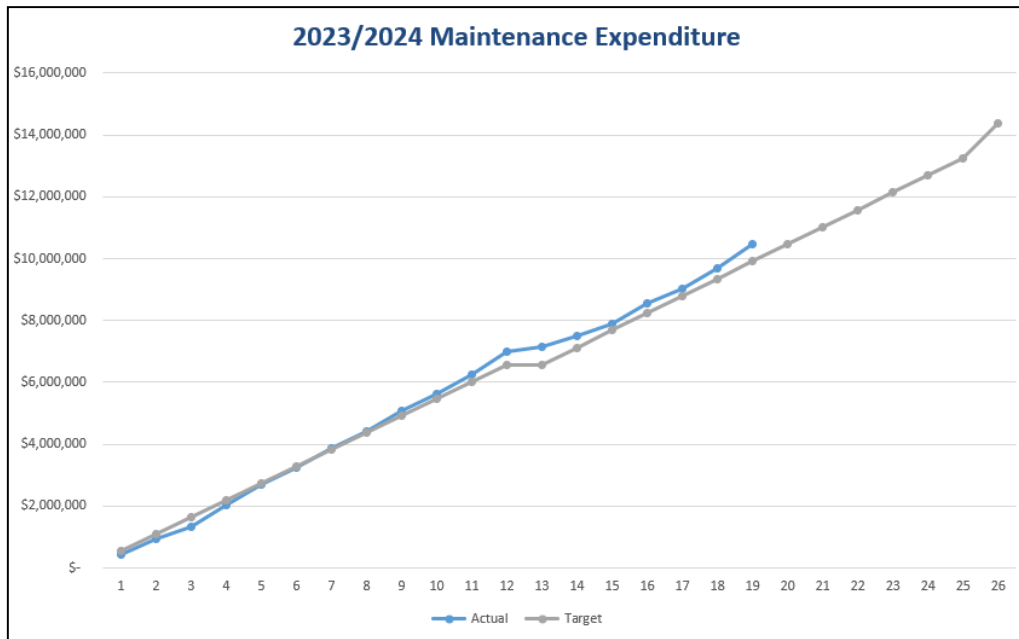
Created – March 2024 199	Total Created YTD 1,415
Completed – March 2024 201	Total Completed YTD 1,395

Comments

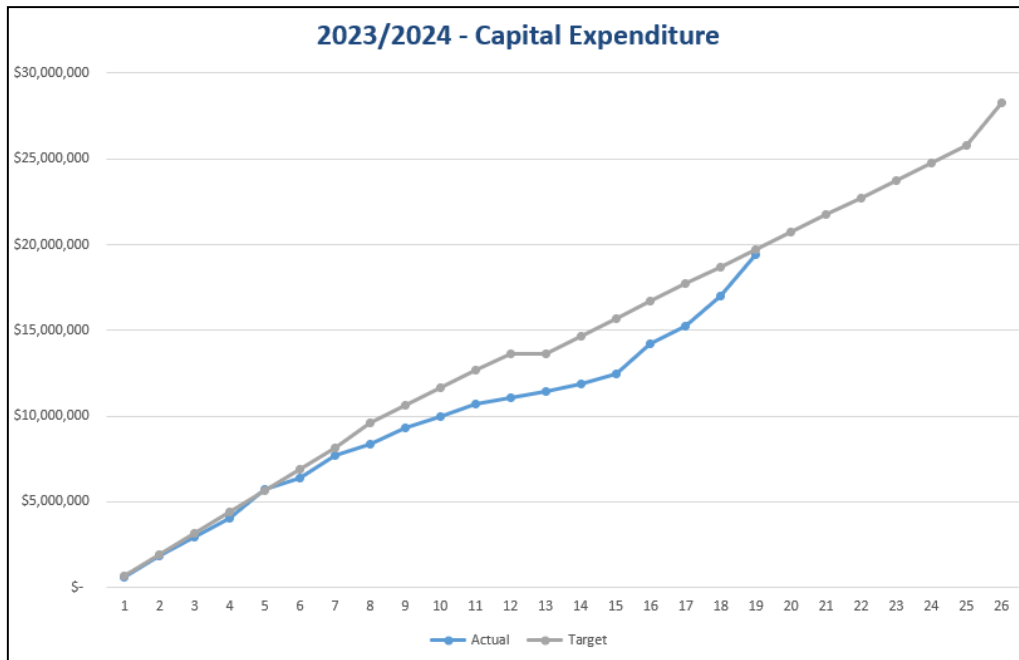
- General increase in inspection numbers due to rainfall:
 - Increase in maintenance inspections for overgrown drainage channels and inlets;
 - Increase in maintenance inspections for blocked pipes, culverts and floodways;
 - Increase in maintenance inspections for flooding on private property (eg. flooding from road drainage and flooding from adjacent private lots).



MAINTENANCE EXPENDITURE



CAPITAL WORKS EXPENDITURE



ADVANCE ROCKHAMPTON**Key Regional Statistics**

Unemployment Rate—4.5% (Jun23), **UP** 0.4% (Quarterly)

Labour Force— 46,834 (Jun23), **UP** 694 (Quarterly)

Rental Vacancy Rate— 0.5% (Feb24) **DOWN** 0.4% (Jan24)

Seek Advertisements— 937(Mar24), **DOWN** 63 (Feb24)

KEY EVENTS AND ENGAGEMENTS

Master Builders Association Industry Briefing (27 Feb)

Breakfast of Champions (8 Mar)

TIQ India Exports Workshop (12 Mar)

Capability Statement Workshop (13 Mar) – 71% attendance

IAP2 Local Area Network Event (13 Mar)

Qld Health Capital Pipeline Briefing (15 Mar)

Industry Development – Infrastructure Project Updates**ROCKHAMPTON RING ROAD**

- + \$1.7 B project cost
- + Commenced: Early works Late 2022
- + Stage 1 Completion: 2025/2026 FY
- + 49% of contracts awarded locally
- + \$22M+ in local expenditure to date
- + \$70M+ committed

FITZROY TO GLADSTONE PIPELINE

- + \$983 M project cost
- + Early works: March 2023
- + Construction: August 2023
- + Expected completion: December 2026
- + 400 local jobs during construction

- + 25 apprenticeships and traineeships
- + 40% local content target

MOUNT MORGAN PIPELINE

- + \$88 M project cost
- + Commenced: November 2023
- + Completion: September 2025
- + Est. 50 jobs during construction

MORT & CO FEEDLOT & FERTILISER FACTORY

- + \$130 M project cost
- + Commenced: Q3 2024
- + 297 direct jobs & 210 indirect during construction
- + 45 FTE during operation

RENEWABLE ENERGY PROJECTS**CLARKE CREEK WIND FARM**

- + Commenced: July 2022
- + Completion: Late 2025
- + 350 jobs created to date
- + \$250m regional investment
- + Est Cost: \$3B

STANWELL CLEAN ENERGY HUB (NEW)

- + \$100M+ in project value
- + Common infrastructure and civil works commencing late 2023
- + Expected 5-year delivery
- + Up to 650 jobs during construction
- + Sustains the existing 200 FT and up to 600 contractor jobs

MOUNT HOPEFUL WIND FARM

- + Commencing: Mid 2024
- + Completion: 2027
- + Est Cost: \$600M
- + Approx. 150 jobs during construction
- + 8-12 FTE during operation

BOULDER CREEK WIND FARM

- + Commencing: Mid 2024
- + Completion: Late 2026
- + 94 turbine Stage 2 planning
- + Est Cost: \$750M
- + Up to 300 jobs during construction
- + 12 FTE during operation

MOAH CREEK WIND FARM

- + Commencing: 2025
- + Completion: Late 2028
- + 380 jobs during construction
- + 15 ongoing jobs
- + Est cost: \$1B

MOAH CREEK SOLAR FARM (NEW)

- + Commencing: Mid 2025
- + Completion: 2027
- + Est Cost: \$600M
- + Approx. 300 jobs during construction
- + Target operation 2025
- + 10 FTE during operation

BOOMER GREEN ENERGY HUB

- + Commencing: Q1 2026
- + Completion: Q3 2029
- + 350+ jobs during construction
- + 30 FTE during operation
- + Est Cost: \$3B

MOONLIGHT RANGE

- + 300+ jobs during construction
- + 10 FTE during operation
- + Commencing: 2026
- + Completion: Q1 2029

Events

29 - 31 March 2024 | Rare Spares Rockynats 04 - All contractors locked in, internal workforce appointed, Local targeted marketing campaign in full effect, Matt Hall Racing Media Stunt confirmed and delivered, PR agency on ground for media engagement, Event delivered 29-31 March 2024, Rare Spares Rockynats 05 dates announced (4-6 April 2025).

19 May 2024 | 7Rocky River Run - Contractor appointments complete, trade site engagement underway, participant t-shirts have arrived, Participant numbers exceeding expectations.

12 - 14 June 2024 | Rockhampton Agricultural Show - Section schedules finalised, Rural Ambassador & Showgirl campaigns in market, Trade offers sent to vendors, Sponsor Prospectus being finalised, Ticketing build finalised (Ferve), Prize money endorsement adopted by Council.

26 - 28 July 2024 | Rockhampton River Festival - Trade EOIs being reviewed, Entertainment program finalised, Activations and collaboration with RMoA & Walter Reid Cultural Centre art groups progressing.

31 August 2024 | CapriCon Pop Culture Convention - 100+ vendors approved, Food vendor applications under review, Panel and Workshop EOIs under review, guest proposal underway, MC's secured.

Tourism Infrastructure

Hotel, Flights and Explore Rockhampton Visitor Information Centre

Hotels & Flights	Hotels Average Occupancy	Hotels Average Daily Rate	Total Arrivals	Total Departures
TY	71.9%	\$182.98		
LY	70.0%	\$172.48	25.8K	26.1K
VAR	+1.9%	+\$10.50		

March 2024 compared to March 2023.

NB: Passenger numbers were not available at time of reporting.

Explore Rockhampton VIC	Walk-ins	Intrastate	Interstate	International
TY	480	233	149	96
LY	546	309	138	99
VAR	-66	-76	+11	-3

March 2024 compared to March 2023

NB: We are still seeing a steady increase in international visitors each month.

Tourism Positioning and Marketing

Campaigns – Top 5 projects in Tourism

1. **Australian Tourism Awards** - We won a SILVER Award in the Tourism Marketing Campaigns category at the prestigious Australian Tourism Awards. This award nomination was a result of our GOLD Win at the Queensland Tourism Awards last November in the 'Richard Power Award for Tourism Marketing and Campaigns' category.
2. **Accessible Tourism Campaign** - To continue launching the Explore Rockhampton Accessible Tourism campaign, we hosted an industry-facing workshop providing almost 50 attendees with information and resources to leverage from our campaign including a campaign toolkit.
3. **Beef Australia** - We continue to plan for Beef Australia activations including the Visitor Information Centre, Rockhampton Airport, self-guided 'History of Beef' tour, CBD connectivity, City Tours, blogs, a 'Beef' website landing page and a collaboration with Beef Australia producing some exceptional destination marketing content for Beef TV and the Today Show.
4. **Rockynats 04** - Tourism heavily supported Rockynats 04 with marketing, media and social media during the event. We also delivered a full landing page and blog for visitors to make the most of their visit and encourage them to stay a little longer in the Rockhampton region.
5. **TEQ Strategic Workshop** - The Tourism and Events Manager attended a strategic workshop with Tourism and Events Queensland which invited RTOs, LTOs and LGAs to come together and discuss ways of achieving Queensland's visitation goal in the lead up to the 2032 Games.

Billboards

Airport: departure lounge bathrooms (MTB/Meerkats) - **16.5K REACH**

Airport: static entry/exit sign (Nurim/Meerkats) - **32K REACH**

Airport: digital exit sign (Explore Rockhampton various x 6) - **32K REACH**

Fitzroy and East: Barra Season is Back Baby! - **400K REACH**

Social

Fishing the Fitzroy boosted Facebook post - **69.6K REACH**

Explore Rockhampton boosted Facebook post - **22.3K REACH**

SEM (Search Engine Marketing)

Explore Rockhampton campaign - **6.8K REACH**

Print

CQ Today - Fortnightly tourism column - **160K REACH**

QLD Rail On-board Magazine 'Embark' - **83K REACH**

Total Reach: 822.2K

45 | Page

Social Media

@ExploreRockhampton

	Facebook			Instagram		
	Reach	Impressions	Fans	Impressions	Engagement	Fans
TM	114.6K	81.9K	121,359	12.6K	2.5K	3,455
LM	25.4K	86.8K	12,011	17.2K	1.6K	3,403
VAR	+89.2K	+5.1K	+348	-5.4K	+0.9K	+52

March 2024 compared to February 2024 **NB:** This month saw a significant increase in reach due to paid social posts and a post supporting Denvah on Australian Idol which had a lot of engagement.

@MyRockhampton

	Facebook				
	Reach	Views	Likes	Impressions	Engagements
TM	27.4K	1.7K	16.5K	121.7K	4.8K
LM	17.8K	1.6K	16.5K	78.5K	1.4K
VAR	+9.6K	+0.1K	same	+43.2K	+3.4K

March 2024 compared to February 2024.

@AdvanceRockhampton

	Website			LinkedIn			
	Users	Sessions	Page Views	Impressions	Engagements	Reached Users	Followers
TM	1254	1548	7913	17981	906	4245	2588
LM	762	955	4135	10782	1901	9604	2558
VAR	492	593	3778	+7199	-995	-5359	+30

Website: March 2024 compared to January 2024.

LinkedIn: March 2024 compared to January 2024.

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@FishingTheFitzroy

	Facebook		
	Reach	Views	Likes
TM	54.6K	3.3K	26,086
LM	82.2K	2.2K	26,043
VAR	-27.6K	+1.1K	+43

March 2024 compared to February 2024.

11.8 LGAQ ELECTION OF EXECUTIVE DISTRICT REPRESENTATIVES 2024-2028

File No: 10072
Attachments: 1. Letter from LGAQ [↓](#)
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Ross Cheesman - Acting Chief Executive Officer

SUMMARY

Local Government Association of Queensland Inc inviting nominations for election of a representative for District No 6 (Central Queensland) for 2024-2028.

OFFICER'S RECOMMENDATION

THAT Council authorises the Chief Executive Officer to nominate Councillor _____ for election as District No 6 Representative on the Local Government Association of Queensland Inc Executive for 2024-2028.

COMMENTARY

The Local Government Association of Queensland Inc (LGAQ) has written to the Chief Executive Officer (copy of letter attached) inviting nominations for District No 6 (Central Queensland) Representative on the Local Government Association of Queensland Inc Executive for 2024-2028 with nominations closing 12pm on Wednesday 1 May 2024.

Should a Councillor be interested in the position, it is considered desirable to submit a nomination and campaign in support of the nomination.

Councillor Matt Burnett, Mayor of Gladstone Regional Council is currently the representative for District 6 of the LGAQ Policy Executive and Board.

LGAQ ELECTION OF EXECUTIVE DISTRICT REPRESENTATIVES 2024-2028

Letter from LGAQ

Meeting Date: 23 April 2024

Attachment No: 1



Every Queensland
community deserves
to be a liveable one

2 April 2024

Mr Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
PO Box 1860
ROCKHAMPTON QLD 4700
Email: ceo@rrc.qld.gov.au

Dear Evan,

ELECTION OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND'S (LGAQ) POLICY EXECUTIVE DISTRICT REPRESENTATIVES 2024-2028

I am pleased to advise that in accordance with Rule 5.4 of the Association's Constitutions and Rules, nominations are now being called for the election of District Representatives to the Association's Executive for the period 2024 – 2028.

Please note, this is not an election for Local Government District Associations. In many cases the District Local Government Association areas and the LGAQ Electoral Districts are not the same.

Councils within an Electoral District are entitled to nominate candidates for election from amongst elected members of the Councils within their District.

If there is more than one nomination per District, an election by postal ballot will apply. If an election is required, the "first past the post" voting system will apply.

Please also find attached:

- **Attachment 1A: Policy Executive Members Information Schedule**
- **Attachment 1B: LGAQ Corporate Governance Charter**
- **Attachment 1C: Fees, reimbursements and insurance**
- **Attachment 2: Nomination Form for your District**

PLEASE NOTE:

- a. Nominations close at **12:00pm, Wednesday, 1 May 2024** and must be received by the Chief Executive Officer by that time through the **nominated email address: returning_officer@lgaq.asn.au**.
- b. If you intend to nominate a person, you are encouraged to have the matter considered at your Statutory Meeting following the Quadrennial Elections held on Saturday, 16 March 2024.
- c. A Ballot Paper (if necessary) will be sent to you immediately upon the close of nominations.

Members elected at this time take up their position in **June 2024** and, subject to the Rules, hold office until **June 2028**.

If you have any queries, please do not hesitate to call me.

Yours sincerely,



ALISON SMITH
Chief Executive Officer, Local Government Association of Queensland

Local Government Association of Queensland Ltd.
PO Box 2230 Fortitude Valley BC QLD 4006
[ABN 11 010 883 293](#) [ACN 142 783 917](#)



ATTACHMENT 1A

POLICY EXECUTIVE MEMBERS INFORMATION SCHEDULE

MEETING OBLIGATIONS

The Executive currently has six (6) regular meetings each year, however this frequency can be varied by the Policy Executive. With the exception of one regional meeting and the meeting which precedes the Annual Conference, the Policy Executive meets at Local Government House in Brisbane. The dates, at present, are set from meeting to meeting but are generally as follows:

- 1) Early February (1 Day)
- 2) Early April (1 Day)
- 3) Late June (1 Day)
- 4) Mid to Late August (1 to 3 Days if intrastate travel is involved)
- 5) The day before Annual Conference (1 Day)
- 6) Early December (1 Day)

Special Meetings may be called as required. Meetings by way of telephone hook-up may also be held.

Policy Executive Members may also be appointed to represent the Association on statutory boards and committees as well as ad hoc bodies. These appointments are made by the Policy Executive following consultation with member councils.

Members elected at this time take up their positions in **June 2024**, and subject to the Rules, hold office until **2028**.

Day	Date	Time	Room	Action
Thursday	20-June-2024	8:30am to 4:00pm	Boardroom, 25 Evelyn Street, Newstead, Brisbane	PE Induction
Friday	21-June-2024	8:30am to 4:00pm	Boardroom, 25 Evelyn Street, Newstead, Brisbane	PE Meeting
Friday	23-August-2024	8:30am to 4:00pm	Location - TBC	PE Meeting
Sunday	20-October-2024	12:00pm to 4:30pm	Brisbane Convention and Exhibition Centre	PE Meeting
Friday	06-December-2024	8:30am to 4:00pm	Boardroom, 25 Evelyn Street, Newstead, Brisbane	PE Meeting

1 April 2024

P 07 3000 2222
F 07 3252 4473
W www.lgaq.asn.au

Local Government House
 25 Evelyn Street
 Newstead Qld 4006

PO Box 2230
 Fortitude Valley BC
 Qld 4006

Local Government Association Of Queensland Ltd.
ABN 11 010 883 293 **ACN** 142 783 917

Attachment 1B

CORPORATE GOVERNANCE CHARTER

FEBRUARY 2024



Background

The purpose of the Local Government Association of Queensland (LGAQ) is to be the peak body for local government in Queensland with a vision of strong and effective local government. Our mission is to strengthen the ability and performance of local government to better serve the community.

This Corporate Governance Charter defines the role, responsibilities and authorities of the Policy Executive and the Board of the LGAQ, along with the role and function of individual Executive Representatives and Directors.

LGAQ is committed to effective governance practices which reflect accountability, transparency, and professional integrity within an inclusive framework based on trust and intellectual honesty.

The Board approved 4 strategic objectives as part of the Strategic Plan

- ✘ Advocate for the collective interests of members, and action all endorsed annual conference motions.
- ✘ Advance members financial sustainability.
- ✘ Assist with the positive promotion of local government.
- ✘ Connect members with daily support services that help with matters of local concern or difficulty.

Together these elements provide the foundation for the Association's policy initiatives and activities.

This Charter is intended to assist the Policy Executive and Board by:

- ✘ Providing clear guidelines on roles, responsibilities and relationships of the Policy Executive, Board, Directors and Executive Representatives;
- ✘ Identifying key principles for effective corporate governance to allow "best practice" performance;
- ✘ Ensuring appropriate accountability of the Policy Executive and Board to LGAQ members;
- ✘ Ensuring that the link between the Association's corporate objectives and values and the activities of members of the Board and Policy Executive is identified and understood.

The Charter also provides valuable information for new Directors and Executive Representatives, facilitating the induction process. As stipulated in the LGAQ Constitution (Rule 6.7(17)), Directors and Executive Representatives are required to comply with this Charter.

2 Corporate Governance Principles and Structure

Within the private sector, corporate governance is regarded as the system by which companies are directed and managed. It influences how the objectives of the company are set and achieved, how risk is monitored and assessed, and how performance is optimised. Good corporate governance structures encourage companies to create value (through entrepreneurship, innovation, development and exploration) and provide accountability and control systems commensurate with the risks involved.

Corporate Governance for LGAQ is broadly defined as the processes used to represent member interests, including the way in which decisions are made on policies and strategies and how these are actioned to obtain an optimal return for members as the key stakeholders of the Organisation.

Corporate Governance arrangements for LGAQ include:

- ✘ The role of Annual Conference;
- ✘ The election of Executive Representatives;
- ✘ The role of the Policy Executive;
- ✘ The role of the President of the Board ("President");
- ✘ The role of the Board;
- ✘ The role of the CEO.

Whilst Directors and Executive Representatives are encouraged to refer to the Constitution of LGAQ for details of the role of Annual Conference, the composition and election of the Policy Executive and Board, the powers and duties of the Policy Executive and Board, and the powers and functions of the CEO and other officers, the following is a brief summary of the key points.

LGAQ's Annual General Meeting of member councils (Annual Conference) is the Association's supreme decision-making body responsible for setting the overall policy direction of LGAQ and electing the President (Rule 6.3 of the Constitution). In a separate process, LGAQ's member councils elect 15 District Representatives (Rule 5.1 of the Constitution) who, together with the President, form the Association's Policy Executive. The President is the only member of the Policy Executive who does not represent a district.

The Policy Executive is responsible for: appointing three Directors to join the LGAQ President in forming the LGAQ Board; appointing the CEO; approving the annual budget of the Organisation; and determining the Association's policy on behalf of member councils (in line with the overall direction set at Annual Conference). The Policy Executive may delegate any of its powers to a Committee appointed out of its number (Rule 5.13 of the Constitution).

The LGAQ Board is responsible for the operation of the business of the company (Rule 6.7 of the Constitution). It is authorised to exercise all of the Organisation's powers that are not required to be exercised by Annual Conference. The Board is responsible for adopting a strategic plan before the end of each financial year. The Board may delegate any of its powers to a Committee appointed out of its number (Rule 6.15 of the Constitution).

The President is the highest elected official of the LGAQ and chairs General Meetings, including the Annual General Meeting, and meetings of the Board and Policy Executive.

The CEO is responsible for day-to-day management of the Organisation, subject to the Board's instructions (Rule 6.7 of the Constitution). The CEO's powers may only be exercised after full consultation with the President; and the President must be kept fully informed on an ongoing basis of all action taken pursuant to the CEO's powers. Consistent with normal corporate practices, the President and CEO are the official spokespersons for the Board, Policy Executive and LGAQ.

Director Role

The general qualification for becoming and remaining a Director is outlined in Rule 6.1 of the Constitution.

The powers and duties of the Directors are spelt out in detail in Rule 6.7 of the Constitution. In summary, the Directors:

- ✘ Are responsible for setting the strategic direction and monitoring of the business;
- ✘ Must adopt an annual strategic plan for the Association and ensure that LGAQ conducts its business in accordance with it;
- ✘ Are not directly involved in the day-to-day management of the Organisation but issue the CEO with instructions for the day-to-day management;
- ✘ Make decisions that are not items of day-to-day management of the Organisation;
- ✘ Must ensure that LGAQ maintains its property in good working order and condition, complies with all agreements to which it is a party, pays its debts as and when they fall due, maintains relevant insurance, complies with the requirements of all relevant legislation, maintains books and records, etc.;
- ✘ Have oversight of the financial management of LGAQ and are responsible for major financial decisions (although the annual budget is approved by the Policy Executive);
- ✘ May grant a power of attorney;

As Directors are appointed out of the ranks of the Policy Executive, a Director must have the skills and the time to be able to perform both roles.

To effectively perform their role, a Director requires:

- ✘ Competency in modern corporate and financial management standards and practices;
- ✘ An ability to provide a holistic focus on local government issues;
- ✘ An ability to put the interests of their own council behind those of the Association;
- ✘ Capacity to devote sufficient time to both Board and Policy Executive responsibilities;
- ✘ Legitimacy and confidence in the eyes of members and fellow Executive Representatives;
- ✘ Ability to exercise objective judgement on corporate affairs independent from management;
- ✘ Access to accurate, relevant and timely information.

A Director has a duty to:

- ✘ Act consistently in the best interests of LGAQ as a whole;
- ✘ Act honestly and in good faith;
- ✘ Not gain advantage by improper use of their position;
- ✘ Not misuse information;
- ✘ Act with due care and diligence;
- ✘ Disclose real or perceived conflicts between personal interests, or the interests of any associated person, and the interests of LGAQ to the other Directors in accordance with the LGAQ Conflict of Interest Policy;
- ✘ Not allow such interests to conflict with the interests of LGAQ.

A Director has no individual authority to participate in the day-to-day management of LGAQ, including making any representations or agreements with member councils, suppliers, customers, employees or other parties or organisations.

Directors are expected to regularly attend Board, Policy Executive, Committee and other meetings organised as part of the Director role. According to Rule 6.1(5) of the Constitution, a Director vacates that office at the conclusion of the third consecutive Board meetings that the person has failed to attend, without the Board's leave.

Directors are supported in their role by secretariat services provided by LGAQ.

4 Conduct of Board meetings

A Board meeting is the main opportunity for a Director to:

- ✘ Obtain and exchange information with the senior management team;
- ✘ Obtain and exchange information with each other;
- ✘ Make decisions.

A Director shall, in good faith, behave in a manner that is consistent with generally accepted procedures for the conduct of meetings. This will include, but not be limited to:

- ✘ Behaving in a business-like manner;
- ✘ Acting in accordance with policy resolutions of the Association;
- ✘ Addressing issues in a courteous manner;
- ✘ Using judgement, common sense and tact when discussing issues;
- ✘ Avoiding distracting behaviour such as email, text, chatter and irrelevant remarks during meetings;
- ✘ Ensuring that others are afforded a reasonable opportunity to put forward their views.

5 Review of Board's Effectiveness and Training Needs of Director

The President shall conduct a biennial review of the Board's effectiveness, one year and three years into the Board's term. As part of the review, the President shall consult with each Director separately. The review thus provides an opportunity for each Director to discuss any concerns about the Board's operation with the President. A report on the review must be prepared and submitted to the Policy Executive for consideration.

Directors are encouraged to raise any request or need for independent expert advice, training or guidance with the President at any time. Furthermore, the President shall discuss Directors' training and professional development needs during the biennial review of the Board's effectiveness and pass any needs identified to the secretariat for action.

6 Executive Representative Role

The General Qualification for becoming and remaining an Executive Representative is outlined in Rule 5.2 of the Constitution.

To be able to fulfill its role, it is important that the Policy Executive incorporates a breadth of experience. This requires capacity to present an appropriate balance of district, member-wide and external viewpoints.

The primary responsibility of an Executive Representative is to LGAQ members as a whole. In fulfilling this responsibility, an Executive Representative should, where appropriate, have regard to the interests of stakeholders, both internal and external. Policy Executive decisions will be distributed in the public realm unless the Policy Executive makes an express decision to keep the matter confidential.

An Executive Representative therefore requires an extensive knowledge of and connection to local government related issues. It is expected that an Executive Representative will develop an appreciation of the scope, policy and activities of the Association.

The key roles of an Executive Representative can be broadly defined as:

- ✘ Representing the overall interests of local government within Queensland;
- ✘ Representing each district's interests on the Policy Executive;
- ✘ Contributing to Policy Executive decision-making;
- ✘ Assisting in relationships between councils at a district and regional level.

individual councils in their district.

In recognition of the workload involved, Executive Representatives receive appropriate support from LGAQ in the conduct of their duties as District Representatives. Executive Representatives are supported by senior LGAQ officers who, whenever possible, accompany Executive Representatives to ROC and other regional meetings. LGAQ also has a Policy Executive Support Coordinator who acts as the central point of contact and clearing house for all communications material, information and enquiries related to Policy Executive activities and who coordinates and arranges attendance of Executive Representatives and senior LGAQ staff at meetings of regional groupings of councils.

There will also be a CEO Reference Group comprising the CEOs of Executive Representatives. This group will both support Executive Representatives and provide strategic advice and input to LGAQ. It is important that elected members who are considering nominating for the Policy Executive understand that their involvement on the Policy Executive will be supported by participation of their CEO in the CEO Reference Group.

In representing, liaising with and informing member councils at a district level, the reasonable expectation of an Executive Representative as the District Representative is that they will:

- ✘ Attend and represent LGAQ at meetings of regional groupings of councils, such as District LGAs and/or ROCs (and/or, where appropriate, other relevant bodies);
- ✘ Undertake direct communication with member councils within their electoral district including on key issues and matters before the Policy Executive for consideration;
- ✘ Develop a full understanding of the scope and scale of the activities of the Association to enable referral of member councils to relevant solutions and support services;
- ✘ Familiarise themselves with and provide input into LGAQ segment1 plans and segment activities relevant to the councils within their district.

In order to be an effective District Representative, an Executive Representative is expected to engage in a process of two-way representation, i.e. reporting regional advocacy issues and council support needs and opportunities to the Policy Executive and reporting outcomes back to the district. Executive Representatives are instrumental in ensuring transparent and inclusive LGAQ decision-making on policy positions by feeding views from members in their district into the decision-making process and communicating the rationale behind the decision-making back to members.

It is up to each Executive Representative to identify and develop appropriate methods of engagement with the councils in their district. Where active District LGAs or ROCs exist, the meetings of these groupings provide an established platform for regional engagement in relation to LGAQ policy-making. Attending meetings of other regional groupings involving councils, may also be an option. Executive Representatives should also undertake regular one-on-one engagement with

To effectively perform their role, an Executive Representative requires:

- ✘ An ability to provide a holistic focus on local government issues;
- ✘ An ability to put the interests of their own council behind those of their electoral district and those of the Association;
- ✘ Capacity to devote sufficient time to Policy Executive responsibilities;
- ✘ Legitimacy and confidence in the eyes of members;
- ✘ Ability to exercise objective judgement on corporate affairs independent from management;
- ✘ Access to accurate, relevant and timely information.

An Executive Representative has a duty to:

- ✘ Act consistently in the best interests of LGAQ as a whole;
- ✘ Act honestly and in good faith;
- ✘ Not gain advantage by improper use of their position;
- ✘ Not misuse information;
- ✘ Act with due care and diligence;
- ✘ Disclose real or perceived conflicts between personal interests, or the interests of any associated person, and the interests of LGAQ to the other Executive Representatives in accordance with the LGAQ Conflict of Interest Policy;
- ✘ Not allow such interests to conflict with the interests of LGAQ

An Executive Representative has no individual authority to participate in the day-to-day management of LGAQ, including making any representations or agreements with member councils, suppliers, customers, employees or other parties or organisations.

Executive Representatives are expected to regularly attend Policy Executive, Committee and other meetings organised as part of the Policy Executive role. According to Rule 5.2(2)(d) of the Constitution, an Executive Representative vacates that office immediately upon the conclusion of the third consecutive Policy Executive meeting that the Executive Representative has failed to attend, without the Policy Executive's leave.

7 Conduct of Policy Executive Meetings

A Policy Executive (or Committee) meeting is the main opportunity for an Executive Representative to:

- ✘ Report to the Policy Executive on engagement with their district on LGAQ policy and advocacy issues;
- ✘ Obtain and exchange information with the senior management team;
- ✘ Obtain and exchange information with each other;
- ✘ Make decisions.

An Executive Representative shall, in good faith, behave in a manner that is consistent with generally accepted procedures for the conduct of meetings. This will include, but not be limited to:

- ✘ Behaving in a business-like manner;
- ✘ Acting in accordance with policy resolutions of the Association;
- ✘ Addressing issues in a courteous manner;
- ✘ Using judgement, common sense and tact when discussing issues;
- ✘ Minimising distractive behaviour such as email, text, chatter and irrelevant remarks during meetings;
- ✘ Ensuring that others are afforded a reasonable opportunity to put forward their views.

Unless prevented by extenuating circumstances, Executive Representatives are expected to attend Policy Executive meetings for the full duration of the meeting.

Executive Representatives should be forthright in Policy Executive meetings and have a right to question, request information, raise an issue, fully canvass all aspects of any policy issue confronting LGAQ and to cast their vote on any resolution according to their own judgment.

Outside Policy Executive meetings, an Executive Representative will support the spirit of all Policy Executive decisions in discussions with member councils, staff and other parties when acting in their capacity as an Executive Representative. Executive Representatives are expected to advocate the position of their district constituency at Policy Executive meetings and the position of LGAQ back to their district constituency. However, as mentioned earlier, the President and CEO are the official public spokespersons for the Policy Executive and LGAQ.

8 Ethical Practices

Directors and Executive Representatives will, at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to the Organisation.

Directors and Executive Representatives must also refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties. Directors and Executive Representatives must not use Association information for any personal gain for themselves or their immediate families or in any manner that would be contrary to law or detrimental to the welfare and goodwill of the Association.

Further, Directors and Executive Representatives must not publicly comment on matters relative to activities of the Board or Policy Executive, other than as authorised by the Board or Policy Executive.

Finally, Directors and Executive Representatives must not engage in conduct, whether in the course of undertaking LGAQ business or otherwise, tending to bring the LGAQ or local government in the State of Queensland into disrepute or to cause damage to the public standing and reputation of either of them.

9 Code of Conduct

LGAQ has adopted a Code of Conduct and maintains service standards for the Association's employees. Although not LGAQ employees, Directors and Executive Representatives are encouraged to familiarise themselves with this document and, in light of the leadership role and responsibility of the Board, lead by example in following it.

10 Use of Social Media



What is social media?

Social media is the use of on-line or internet based technologies to communicate interactively with other people. There are several well-known internet sites which are used for social media, including but not limited to, Facebook, Twitter and LinkedIn.

The LGAQ and social media

The LGAQ embraces the use of social media for the promotion, development and delivery of services and that of its members.

LGAQ encourages all Directors and Executive Representatives to communicate online in many ways, such as through social media, professional networking sites, blogs and personal web sites. However, all Directors and Executive Representatives need to use good judgment about what material appears online, and in what context.

Information published on social media sites by Directors and Executive Representatives

Directors and Executive Representatives must behave in a manner which promotes and protects the interests of LGAQ. Directors and Executive Representatives must not publish information on social media which:

- ✘ In any way disparages or harms LGAQ's business or reputation;
- ✘ Disparages or personally criticises fellow Directors, Executive Representatives or LGAQ employees;
- ✘ Includes any information which may offend or embarrass fellow Directors, Executive Representatives or LGAQ employees;
- ✘ Contains defamatory statements in relation to fellow Directors, Executive Representatives, LGAQ employees, elected representatives of members or employees of members;
- ✘ Breaches a Directors' or Executive Representatives' obligations to keep information confidential
- ✘ Breaches a Directors' or Executive Representatives' obligations with respect to Anti-Discrimination, Sexual Harassment or Bullying;
- ✘ Could be perceived as representing the viewpoint or official position of LGAQ on any issue, in circumstances where the Director or Executive Representative has no LGAQ authority to publish that information on the LGAQ's behalf.

11 Review of Charter

This Corporate Governance Charter has been adopted by the LGAQ Board and will be formally reviewed by the Board on an annual basis.



Legend Key

- | | | | |
|--|--|---|---|
| ● District 1 | ● District 3 | ● District 7 | ● District 11 |
| ● District 2 North | ● District 4 | ● District 8 | ● District 12 |
| ● District 2 South | ● District 5 | ● District 9 | |
| ● District 2 West | ● District 6 | ● District 10 | |



For all enquiries, call or text our
Members' Hotline on 1300 542 700

Local Government House
25 Evelyn St, Newstead QLD 4006

**Local Government Association
of Queensland**

—
www.lgaq.asn.au



ATTACHMENT 1C

FEES, REIMBURSEMENTS AND INSURANCE

The current payments to Policy Executive Members attending Policy Executive and Committee Meetings and other approved meetings, for which payment is not made by the outside board, committee, or body, are as follows:

Daily Allowance	\$560.00
Accommodation Allowance	\$283.00

Travel Costs – Actual airfare (economy class), and/or motor vehicle expenses at current ATO rate ie 85c a kilometre, and/or actual taxi fares, and/or actual parking fees.

These rates are reviewed each year in the Budget in May. Payment of fees and reimbursements is usually made at the meeting attended upon completion of a claim form.

A personal accident insurance scheme operates for all Policy Executive Members whilst travelling or involved in Association activity.

1 April 2024

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Local Government Association Of Queensland Ltd.
ABN 11 010 883 293 **ACN** 142 783 917

ATTACHMENT 2

LOCAL GOVERNMENT ASSOCIATION OF
 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ)
 POLICY EXECUTIVE 2024-2028

NOMINATION FORM – District 3-11

Dist 3	Dist 4	Dist 5	Dist 6	Dist 7	Dist 8	Dist 9	Dist 10	Dist 11
Bundaberg Fraser Gympie N Burnett S Burnett	Goondiwindi S. Downs Toowoomba W. Downs	Balonne Bulloo Maranoa Murweh Paroo Quilpie	Banana CHighlands Gladstone Livingstone Rockhampton	Isaac Mackay Whitsunday	Barcaldine Barcoo BTambo Boulia Diamantina Longreach Winton	Burdekin CTowers Hinchinbrook Townsville	Cairns Cassowary Cook Douglas Mareeba Tablelands Torres Shire	Burke Carpentaria Cloncurry Croydon Etheridge Flinders McKinlay Mount Isa Richmond

DISTRICT NO. 6

The City Council of Choose an item.

Hereby nominates Cr.

To represent District Number 6 on the Association’s Policy Executive in accordance with Rule 5.4 of the Constitution and Rules of the Association for the period 2024-2028.

Date at this day of 2024

Alison Smith
 CHIEF EXECUTIVE OFFICER
 2 April 2024

I hereby support this nomination _____
 Signed by: Council CEO

PLEASE RETURN THIS FORM BY EMAIL TO THE RETURNING OFFICER BY NO LATER THAN 12:00pm on Wednesday, 1 May 2024

RETURNING OFFICER: Alison Smith
 RETURNING OFFICER
 LOCAL GOVERNMENT ASSOCIATION OF QLD LTD
 PO BOX 2230
 FORTITUDE VALLEY BC QLD 4006
Email: returning_officer@lgaq.asn.au
N.B FAXED NOMINATIONS WILL NOT BE ACCEPTED

11.9 UPDATED TERMS OF REFERENCE - COUNCIL COMMITTEES

File No: 10072

Attachments: 1. TOR - Communities 2024-2028 [↓](#)
2. TOR - Infrastructure 2024-2028 [↓](#)

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

Following the adoption of the Council Committees at the Ordinary Meeting of Council on 9 April 2024, this report presents updated Terms of Reference for each Committee for Council consideration.

OFFICER'S RECOMMENDATION

THAT the Terms of Reference for the Communities Committee and the Infrastructure Committee, as attached to the report, be adopted.

COMMENTARY

The Terms of Reference for the Communities Committee and the Infrastructure Committee have been updated based on feedback received from Councillors. The primary addition is the requirement for Portfolio Councillors to present a portfolio update at the relevant Committee meeting.

BACKGROUND

Council adopted the Communities Committee and the Infrastructure Committee at its meeting on 9 April 2024.

Subsequent feedback has been received so as to improve the outcomes from these Committees. The attached Terms of Reference include this feedback.

PREVIOUS DECISIONS

Communities Committee and the Infrastructure Committee was adopted at Council's Ordinary meeting on 9 April, 2024.

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

Committee structure and Terms of Reference are legislatively compliant.

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Possible staff resource impact.

RISK ASSESSMENT

Nil

CORPORATE/OPERATIONAL PLAN

Corporate Plan Goal 1.1 includes effective governance with accountable decision-making practices.

CONCLUSION

The Terms of Reference for these Committees have been modified to include feedback received from Council. These changes should result in an improved flow of information for Council and the Community. It is recommended that this report be adopted.

UPDATED TERMS OF REFERENCE - COUNCIL COMMITTEES

TOR - Communities 2024-2028

Meeting Date: 23 April 2024

Attachment No: 1

Date: 23 April 2024
Subject: Terms of Reference – Communities Committee
File Ref: 8237

1. PURPOSE

The Communities Committee is a formal standing committee of Rockhampton Regional Council and provides direction and leadership on the functional responsibilities that fall under its Community Services Department.

2. SCOPE

This Committee comprises all Councillors of Rockhampton Regional Council. The Mayor is an ex-officio member of the Committee pursuant to s12(4)(f) of the Local Government Act 2009.

This Committee is primarily responsible for overseeing Strategy, Advocacy and Communication along with the Policy and Performance in the areas of Council that operate under its Community Services Department. This includes the following areas of operation:

- Environmental Sustainability
- Community Asset and Facilities
- Heritage Village
- Venues
- Rockhampton Museum of Art
- Library and Childcare Services
- Parks Management (including Botanics and Kershaw Gardens)
- Cemeteries
- Sport
- Rockhampton Zoo
- Development Engineering
- Building Plumbing & Compliance
- Health & Environment
- Local Laws

Executive Officer is the General Manager Community Services.

3. FUNCTIONS

The main functions of the Committee are to:

1. Consider and decide on the most appropriate forms of advocacy pertaining to the above scope.
-

Communities Committee Terms of Reference

2. Review and decide on relevant strategies as they relate to the areas of operation listed in the scope of this Terms of Reference.
3. Consider the best forms of communication for the betterment of the organization and community in line with the scope listed above.
4. Receive a report from the relevant Portfolio Councillor for the following Portfolios:
 - Communities & Heritage
 - Parks, Sport and Public Spaces
 - Planning & Regulation.

This report will provide an overview of issues, developments and upcoming matters for the relevant Portfolio.

5. Receive reports from the Chief Executive Officer and appropriately delegated officers.
6. Consider the material in the reports from officers and seek further information from relevant officers, if necessary.

4. LIMITATIONS

In accordance with s. 257(1)(c) of the Local Government Act 2009, Council delegate authority to the committee to make resolutions on its behalf. For clarity, a casting vote can be used by the Committee Chair to determine a resolution in the event of a tied vote.

Development Assessment approvals to go to Council meetings as opposed to this Committee.

Committee members to be all Councillors.

A quorum of the committee is a majority of its member Councillors. However, if the number of Councillors is an even number, one half of the number is the quorum.

In accordance with s. 267(1) of the Regulation, the Mayor be appointed as Chair of the Committee. The Committee Chair shall assume overall responsibility for the good governance and order of the Committee meeting.

Evan Pardon
Chief Executive Officer

Communities Committee Terms of Reference

UPDATED TERMS OF REFERENCE - COUNCIL COMMITTEES

TOR - Infrastructure 2024-2028

Meeting Date: 23 April 2024

Attachment No: 2

Date: 23 April 2024
Subject: Terms of Reference – Infrastructure Committee
File Ref: 8237

1. PURPOSE

The Infrastructure Committee is a formal standing committee of Rockhampton Regional Council and provides direction and leadership on the functional responsibilities that fall under its Regional Services Department.

2. SCOPE

This Committee comprises all Councillors of Rockhampton Regional Council. The Mayor is an ex-officio member of the Committee pursuant to s12(4)(f) of the Local Government Act 2009.

This Committee is primarily responsible for overseeing Strategy, Advocacy and Communication along with the Policy and Performance in the areas of Council that operate under its Regional Services Department. This includes the following areas of operation:

- Civil Operations
- Infrastructure Planning
- Asset Management
- Waste Services (Collections and Operations)
- Recycling
- Project Delivery
- Fitzroy River Water (Treatment & Supply and Network Services)

Executive Officer is the General Manager Regional Services.

3. FUNCTIONS

The main functions of the Committee are to:

1. Consider and decide on the most appropriate forms of advocacy pertaining to the above scope.
2. Review and decide on relevant strategies as they relate to the areas of operation listed in the scope of this Terms of Reference.
3. Consider the best forms of communication for the betterment of the organization and community in line with the scope listed above.
4. Receive a report from the relevant Portfolio Councillor for the following Portfolios:
 - Waste & Recycling
 - Infrastructure
 - Water

Infrastructure Committee Terms of Reference

- Airport

This report will provide an overview of issues, developments and upcoming matters for the relevant Portfolio.

5. Receive reports from the Chief Executive Officer and appropriately delegated officers.
6. Consider the material in the reports from officers and seek further information from relevant officers, if necessary.

4. LIMITATIONS

In accordance with s.257(1)(c) of the Local Government Act 2009, Council delegate authority to the committee to make resolutions on its behalf. For clarity, a casting vote can be used by the Committee Chair to determine a resolution in the event of a tied vote.

Committee members to be all Councillors.

A quorum of the committee is a majority of its member Councillors. However, if the number of Councillors is an even number, one half of the number is the quorum.

In accordance with s. 267(1) of the Regulation, the Mayor be appointed as Chair of the Committee. The Committee Chair shall assume overall responsibility for the good governance and order of the Committee meeting.

Evan Pardon
Chief Executive Officer

11.10 CENTRAL QUEENSLAND REGIONAL ORGANISATION OF COUNCILS LIMITED

File No: 11044
Attachments: Nil
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Ross Cheesman - Acting Chief Executive Officer
Shannon Jennings - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval regarding the two (2) Directors and delegates for Central Queensland Regional Organisation of Councils Limited following the Local Government Elections.

OFFICER'S RECOMMENDATION

THAT Council resolves to:

- (a) appoint Mayor Anthony Paul Williams, Deputy Mayor Councillor Michael Drew Wickerson and Evan Anthony Pardon as delegates to attend all general meetings of the company (noting that only 2 delegates can represent Council at any one general meeting) and authorise the following delegate to exercise Council's voting entitlement as member at a general meeting:
 - A. Mayor Anthony Paul Williams if Mayor Anthony Paul Williams is in attendance at the general meeting;
 - B. Evan Anthony Pardon if Mayor Anthony Paul Williams is not in attendance at the general meeting; and
 - C. Deputy Mayor Councillor Michael Drew Wickerson if both Mayor Anthony Paul Williams and Evan Anthony Pardon are not in attendance at the general meeting.
- (b) affirm Mayor Anthony Williams' appointment as a director (the Primary Director) of the Company;
- (c) affirm Council's CEO as Alternate Director of the Company to act in place of the Primary Director.

COMMENTARY

Following the results of the local government elections on Saturday 16 March 2024, Council's approval is sought to formalise Council's representatives on Central Queensland Regional Organisation of Councils Limited ACN 646 024 384 ("CQROC").

BACKGROUND

On 8 September 2020, Rockhampton Regional Council ("Council") resolved to form a corporation limited by guarantee with Central Highlands Regional Council, Banana Shire Council, Gladstone Regional Council, Livingstone Shire Council and Woorabinda Aboriginal Shire Council and approved the name of the Company as "Central Queensland Regional Organisations of Councils Limited".

Previously Council was represented by Mayor Williams, Deputy Mayor Fisher and the Chief Executive Officer as the delegates to represent Council at general meetings of the Company, with Deputy Mayor to only represent Council at any general meeting where Mayor Williams was unable to attend.

Following the local government elections and the appointment of Councillor Michael Drew Wickerson as the Deputy Mayor, Council is required to approve and appoint a Primary Director, Alternate Director and delegates to attend the general meetings of the Company.

PREVIOUS DECISIONS

On 9 September 2020, Council resolved to:

- (a) Engage in a beneficial enterprise with Central Highlands Regional Council, Banana Shire Council, Gladstone Regional Council, Livingstone Shire Council and Woorabinda Aboriginal Shire Council by forming a corporation limited by guarantee that is not listed on a stock exchange (the Company);
- (b) Approve the Constitution attached to this report as the Constitution of the Company;
- (c) Approve "Central Queensland Regional Organisations of Councils Limited" as the name of the Company;
- (d) Authorises King & Company to lodge the application for registration as a corporation limited by guarantee under the *Corporations Act*, subject to provision and completion of all relevant application details from all member Councils;
- (e) Appoint Mayor Margaret Strelow as a director (the Primary Director) of the Company;
- (f) Appoint Council's Chief Executive Officer as alternate director of the Company to act in place of the Primary Director;
- (g) Appoint Mayor Margaret Strelow, Councillor Neil Fisher and Council's Chief Executive Officer as the delegates to represent Rockhampton Regional Council (RRC) at general meetings of the Company with Neil Karl Fisher to only represent RRC at any general meeting where Margaret Fay Strelow is unable to attend; and
- (h) Delegate to the Chief Executive Officer the power to do all things necessary to give effect to RRC becoming a member of the Company.

On 23 March 2021 Council resolved as follows:

THAT Council resolves to:

- (a) remove Councillor Neil Karl Fisher as director (the primary director) of the Company;
- (b) appoint Mayor Anthony Paul Williams as a director (the primary director) of the Company, subject to Mayor Anthony Paul Williams signing a consent to act as a director and delivering the signed consent to Council;
- (c) appoint:
 - (i) Mayor Anthony Paul Williams, Councillor Neil Karl Fisher and Evan Anthony Pardon as delegates to attend all general meetings of the company (noting that only 2 delegates can represent Council at any one general meeting) and authorise the following delegate to exercise Council's voting entitlement as member at a general meeting:
 - A. Mayor Anthony Paul Williams if Mayor Anthony Paul Williams is in attendance at the general meeting;
 - B. Evan Anthony Pardon if Mayor Anthony Paul Williams is not in attendance at the general meeting; and
 - C. Councillor Neil Karl Fisher if both Mayor Anthony Paul Williams and Evan Anthony Pardon are not in attendance at the general meeting.

BUDGET IMPLICATIONS

There are no perceived budget implications.

LEGISLATIVE CONTEXT

CQROC is a company limited by guarantee be established under the *Corporations Act 2001 (Cth)*.

CQROC is a beneficial enterprise, defined by the *Local Government Act 2009* as "an enterprise that a local government considers is directed to benefiting, and can reasonably be expected to benefit, the whole or part of its local government area".

Under the *Local Government Act 2009* section 40, a Council may conduct a beneficial enterprise by participating with an association. Under section 40, "participates" includes forming an association, and an "association" includes "a corporation limited by guarantee but not listed on a stock exchange".

LEGAL IMPLICATIONS

CQROC is governed by the terms of its constitution and relevant Corporations Legislation.

STAFFING IMPLICATIONS

There are no staffing impacts.

RISK ASSESSMENT

N/A

CORPORATE/OPERATIONAL PLAN

5.1 Productive partnerships with all levels of government and relevant stakeholders

CONCLUSION

It is recommended that Council approves the appointments outlined in this report.

11.11 PROPOSED SCHEDULE OF MEETINGS - APRIL TO DECEMBER 2024

File No:	1460
Attachments:	1. Schedule of Meetings April to December 2024 ↓
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

Chief Executive Officer presenting the proposed Schedule of Council Meetings for the period April to December 2024.

OFFICER'S RECOMMENDATION

THAT the Councillor Meeting Schedule for the period April to December 2024 be adopted.

COMMENTARY

A proposed Schedule of Council Meetings has been created for the period April to December 2024 for consideration by Councillors, following discussions at Council meeting on 9 April 2024 where the following was agreed to:

Meetings are to take place every Tuesday for a full day in some format (refreshments and lunch provided). Generally:

- The first Tuesday of each month reserved for Infrastructure Committee Meeting potentially followed by a strategic briefing session.
- The second and fourth Tuesday of each month, Ordinary Council meetings are scheduled with time dedicated post-Council meetings for briefing sessions on issues related to strategy, advocacy and/or communication.
- The third Tuesday of each month allocated for Communities Committee Meetings potentially followed by a strategic briefing session.

The following dates are drawn to Councillor's attention:

- Wednesday 9 October - Council meeting which would normally be held on Tuesday 8 October has been moved to Wednesday 9 October due to Public Holiday on Monday 7 October 2024 and previous decision by Council to allow 1 clear day after Public Holidays;
- Tuesday 29 October – Council meeting scheduled for Tuesday 22 October has been moved to Tuesday 29 October due to LGAQ Conference in Brisbane from 21 to 23 October 2024.

Where there is a 5th Tuesday of the month this could potentially be used for a strategic briefing session.

PREVIOUS DECISIONS**Ordinary Council - 11 October 2022:**

THAT the Councillor Meeting Schedule for the period January to December 2023 be adopted, with an amendment for there to be at least one (1) clear day between Public Holidays and scheduled Council or Committee meetings.

Ordinary Council – 9 April 2024:

THAT pursuant to Chapter 8, Part 2 Div 2 of the *Local Government Regulation 2012*:

1. Council affirm the following Committee structure:

Committee	Members	Chairperson
Communities	All Councillors	Mayor
Infrastructure	All Councillors	Mayor

2. The Terms of Reference for each Committee, as attached to the report, be approved.

BUDGET IMPLICATIONS

There are no identified budget implications.

LEGISLATIVE CONTEXT

Meetings are conducted in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

LEGAL IMPLICATIONS

There are no identified legal implications.

STAFFING IMPLICATIONS

There will be no impact on staffing numbers or changes to positions.

CORPORATE/OPERATIONAL PLAN

Corporate Plan 2022-2027 – Goal 1.1:

“We have effective governance with accountable decision-making practices.”

CONCLUSION

It is recommended that the Schedule of Meetings be adopted for the period April to December 2024 as attached to the report.

PROPOSED SCHEDULE OF MEETINGS - APRIL TO DECEMBER 2024

Schedule of Meetings April to December 2024

Meeting Date: 23 April 2024

Attachment No: 1



Meeting Schedule

Apr 2024

Monday	Tuesday	Wednesday	Thursday	Friday
1 EASTER MONDAY PUBLIC HOLIDAY	2	3	4	5
8	9 9am - 3pm COUNCIL MEETING + Briefing Session	10	11	12
15	16	17	18	19
22	23 9am - 3pm COUNCIL MEETING + Briefing Session	24	25 ANZAC DAY PUBLIC HOLIDAY	26
29	30			

As at 11/4/24



Meeting Schedule

May 2024

Monday	Tuesday	Wednesday	Thursday	Friday
		1	2	3
6	7	8	9	10
BEEF WEEK LABOUR DAY PUBLIC HOLIDAY	BEEF WEEK NO MEETINGS	BEEF WEEK NO MEETINGS	BEEF WEEK NO MEETINGS	BEEF WEEK NO MEETINGS
13	14	15	16	17
	9am - 3pm COUNCIL MEETING followed by Briefing Session			
20	21	22	23	24
27	28	29	30	31
	9am - 3pm COUNCIL MEETING followed by Briefing Session			

As at 11/4/24



Meeting Schedule

Jun 2024

Monday	Tuesday	Wednesday	Thursday	Friday
3	4 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	5	6	7
10	11 9am - 3pm COUNCIL MEETING followed by Briefing Session	12	13 ROCKHAMPTON SHOW HOLIDAY	14
17	18 9am Communities Committee Meeting	19	20	21
24	25 9am - 3pm COUNCIL MEETING followed by Briefing Session	26	27	28

As at 11/4/24



Meeting Schedule

Jul 2024

Monday	Tuesday	Wednesday	Thursday	Friday
1	2 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	3	4	5
8	9 9am - 3pm COUNCIL MEETING followed by Briefing Session	10	11	12
15	16 9am to 3pm Communities Committee Meeting followed by Briefing Session	17	18	19
22	23 9am - 3pm COUNCIL MEETING followed by Briefing Session	24	25	26
29	30 5 th Tuesday – no meetings	31		

As at 11/4/24



Meeting Schedule

Aug 2024

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
5	6 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	7	8	9
12	13 9am - 3pm COUNCIL MEETING followed by Briefing Session	14	15	16
19	20 9am to 3pm Communities Committee Meeting followed by Briefing Session	21	22	23
26	27 9am - 3pm COUNCIL MEETING followed by Briefing Session	28	29	30

As at 11/4/24



Meeting Schedule

Sep 2024

Monday	Tuesday	Wednesday	Thursday	Friday
2	3 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	4	5	6
9	10 9am - 3pm COUNCIL MEETING followed by Briefing Session	11	12	13
16	17 9am to 3pm Communities Committee Meeting followed by Briefing Session	18	19	20
23	24 9am - 3pm COUNCIL MEETING followed by Briefing Session	25	26	27
30				

As at 11/4/24



Meeting Schedule

Oct 2024

Monday	Tuesday	Wednesday	Thursday	Friday
	1 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	2	3	4
7 KING'S BIRTHDAY PUBLIC HOLIDAY	8	9 9am - 3pm COUNCIL MEETING followed by Briefing Session	10	11
14	15 9am to 3pm Communities Committee Meeting followed by Briefing Session	16	17	18
21 LGAQ Annual Conference, Brisbane	22 LGAQ Annual Conference, Brisbane	23 LGAQ Annual Conference, Brisbane	24	25
28	29 9am - 3pm COUNCIL MEETING followed by Briefing Session	30	31	

Council meeting moved from 8 to 9 October due to Public Holiday on Monday 7 October

** Council meeting moved from 22 to 29 October due to LGAQ Conference

As at 11/4/24



Meeting Schedule

Nov 2024

Monday	Tuesday	Wednesday	Thursday	Friday
				1
4	5 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	6	7	8
11	12 9am - 3pm COUNCIL MEETING followed by Briefing Session	13	14	15
18	19 9am to 3pm Communities Committee Meeting followed by Briefing Session	20	21	22
25	26 9am - 3pm COUNCIL MEETING followed by Briefing Session	27	28	29

As at 11/4/24



Meeting Schedule

Dec 2024

Monday	Tuesday	Wednesday	Thursday	Friday
2	3 9am to 3pm Infrastructure Committee Meeting followed by Briefing Session	4	5	6
9	10 9am - 3pm COUNCIL MEETING followed by Briefing Session	11	12	13
16	17	18	19	20
23	24	25 CHRISTMAS DAY PUBLIC HOLIDAY	26 BOXING DAY PUBLIC HOLIDAY	27 RRC SHUT DOWN TBC
30 RRC SHUT DOWN TBC	31 RRC SHUT DOWN TBC			

As at 11/4/24

11.12 ROCKHAMPTON REGIONAL COUNCIL LOCAL HOUSING ACTION PLAN

File No:	15753
Attachments:	1. DRAFT Rockhampton Regional Council Local Housing Action Plan ↓
Authorising Officer:	Angus Russell - Executive Manager Advance Rockhampton Evan Pardon - Chief Executive Officer
Author:	Ann Davie - Senior Advisor Advocacy

SUMMARY

This report presents a final report for the Rockhampton Regional Council's Local Housing Action Plan.

OFFICER'S RECOMMENDATION

THAT Council endorses the Rockhampton Regional Council Local Housing Action Plan.

COMMENTARY

Rockhampton Regional Council's Local Housing Action Plan (LHAP) provides a set of actions for Council and others to undertake that support residential development in the Rockhampton LGA. The goal of the LHAP is to identify activities that facilitate and develop housing solutions that meets the needs of our region's communities.

The LHAP takes into consideration current and future demands for all types of housing, including general residential development (low and medium density), social and affordable housing, workforce accommodation, and short-term accommodation.

Our actions will be incorporated into a statewide action plan managed by the Department of Housing. An implementation plan will be developed between RRC and the Department of Housing, which will set out and track actions over the next year.

BACKGROUND

In mid-2023, local governments in Queensland were requested by the Queensland Department of Housing to prepare LHAPs. This process was managed on behalf of the Department of Housing by the Local Government Association of Queensland (LGAQ).

The RRC LHAP has been informed by:

- Audits of Council and State land
- Analysis of housing, workforce requirement, population, socio-economic, and other relevant data
- Stakeholder consultation and network development
- Working across Council with Planning, Infrastructure, Communities and Economic Development

The LHAP has actions aligned to 8 key areas identified by Department of Housing:

- Land and development
 - Planning
 - Optimisation
 - Master Planning
 - Supports
-

- People in need
- Construction
- Capital Solutions

A draft document with actions was supplied to LGAQ in December 2023. LGAQ consulted with Department of Housing to get feedback on our draft LHAP. Minor changes were made in response to that feedback.

The last draft was presented to LGAQ at the beginning of March 2023, and accepted by Department of Housing on 22 March 2023.

Current and planned work

- Social housing
 - Work with Community Housing Providers to identify development opportunities and support their projects
 - Work with Department of Housing to identify land and future needs, particularly in Mount Morgan
- Workforce accommodation
 - Continue to gather information about workforce numbers and timing
 - Work with potential developers of worker accommodation solutions
- Stakeholder engagement
 - Reconvene the external stakeholder group
 - Initiate working groups to target specific issues
- Investment attraction
 - Develop options for the region
 - Identify potential investors and developers
 - Investigate innovative solutions
- Capital budgeting and planning for enabling trunk infrastructure
- Planning Scheme amendments
- Monitoring and responding to State and Federal policy and funding opportunities

BUDGET IMPLICATIONS

No immediate additional budget required to implement LHAP actions.

LEGISLATIVE CONTEXT

No legislative implications. This is a non-statutory plan.

STAFFING IMPLICATIONS

Future work of the LHAP will be incorporated into Advance Rockhampton's Economic Development work, including investment attraction and industry engagement, and its Strategic Planning activities.

CORPORATE/OPERATIONAL PLAN

The Local Housing Action Plan and its actions aligns with:

- Goal 3.1: We plan for growth with the future needs of the community, business and industry in mind.
- Goal 3.4: We support our Region's economy through our projects and activities

CONCLUSION

Development of RRC's LHAP has provided valuable information for Council in several areas that are important in the development of the region's communities and economy.

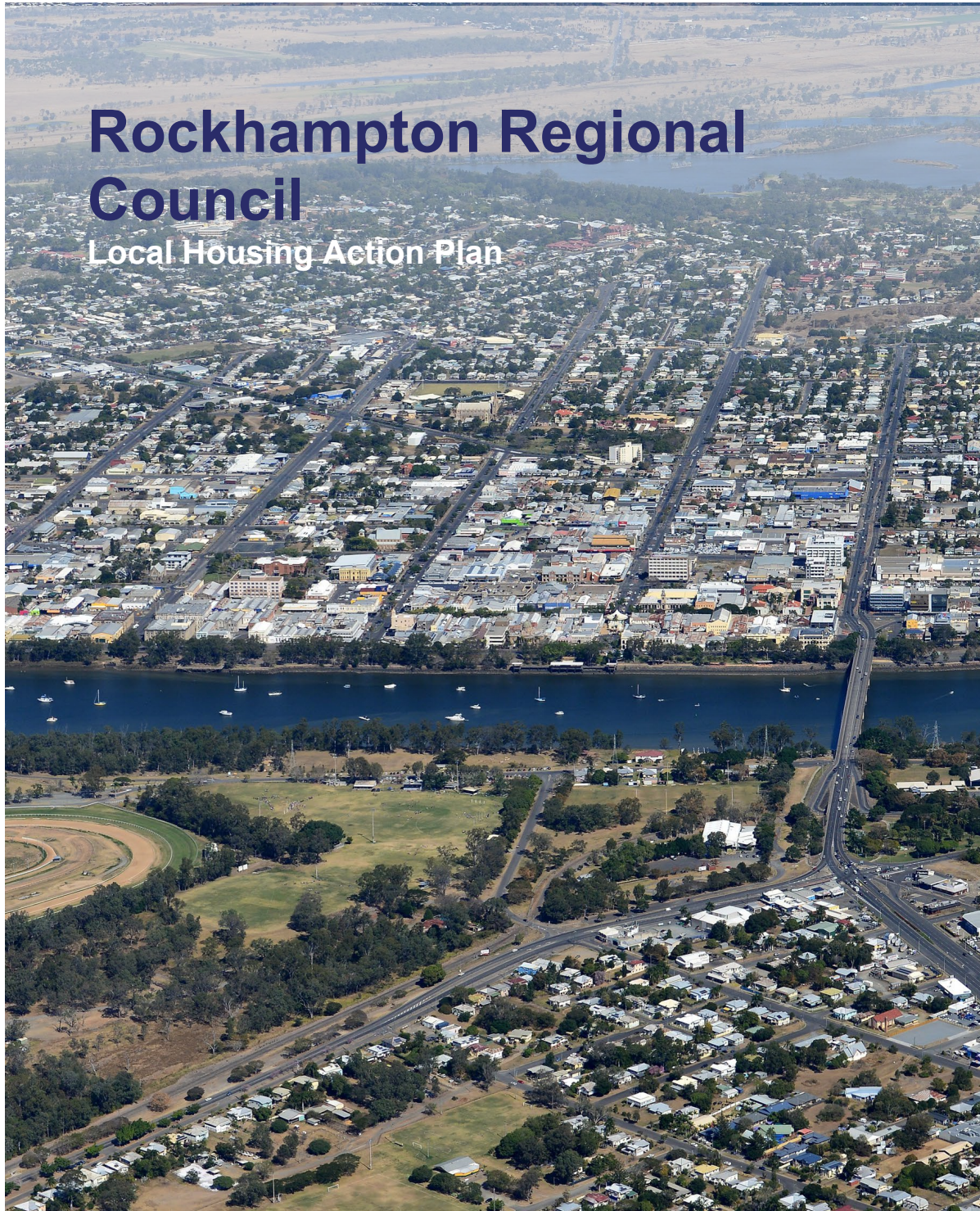
Stakeholder engagement has shown that housing is an issue that affects every community, business and industry. As this is such a key issue, there is a strong willingness from stakeholders to continue working together to develop opportunities to increase housing supply.

ROCKHAMPTON REGIONAL COUNCIL LOCAL HOUSING ACTION PLAN

DRAFT Rockhampton Regional Council Local Housing Action Plan

Meeting Date: 23 April 2024

Attachment No: 1



Rockhampton Regional Council

Local Housing Action Plan



Queensland
Government

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Acknowledgement

Rockhampton Regional Council acknowledges Australia's Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the lands on which we live, learn and work. We pay our respect to their Elders, both past and present, and to our shared future.

Disclaimer

This information has been prepared by Rockhampton Regional Council using data sourced from Australian and Queensland Government data, as well as other authoritative sources as listed in the document. In addition, insights and findings from community consultation have been included. Data was current at the time of developing this document.

1.0 Introduction

This Local Housing Action Plan (the Plan) is developed through a joint initiative involving the Queensland Government, Rockhampton Regional Council and the Local Government Association of Queensland (LGAQ) to respond to a range of immediate, emerging, and longer-term housing challenges in the Rockhampton region.

This is an iterative process that does not intend to duplicate existing actions of Council or the actions under the Queensland Housing Strategy 2017-2027 or the Housing and Homelessness Action Plan 2021-2025. It seeks to identify opportunities, consider an agreed response, develop targeted actions on key priorities and enable ongoing review of effort to adapt and respond to changing need.

The Plan aims to:

1. **develop agreed priority actions** to respond to housing need in the local government area.
2. **establish strong foundations for longer-term housing responses** to assist housing and homelessness outcomes in the local government area into the future
3. **incorporate existing information and plans** that assist with developing responses to housing need and acknowledge work already completed by the Council, state agencies, private and not-for-profit organisations
4. **facilitate targeted interaction between all parties through agreed actions** to ensure a focus on deliverables and projects that can improve housing responses in the short and longer-term



Rockhampton Regional Council has already undertaken actions in-line with these aims.

2.0 Executive summary

2.1 The Rockhampton Region

Located along the Tropic of Capricorn, Rockhampton Regional Council is the hub of Central Queensland and sits within Northern Australia. Rockhampton is one of the oldest cities in Queensland, having been founded in 1853.

The region covers a land area of 6,565 square kilometres, which incorporates inner regional, outer regional and remote areas. The Local Government Area incorporates 3 major population centres – Rockhampton City, Gracemere and Mount Morgan - along with a number of smaller towns and localities.

Rockhampton's natural and community assets are used by areas outside its boundaries, with water from the Fitzroy River servicing other areas. The city is an important logistics hub with significant road, rail, air transport networks. Rockhampton Regional Council owns and operates the Rockhampton Airport, one of the few regional councils that operates a commercial airport. In addition, council owns several significant community assets such as the Rockhampton Botanic Gardens & Zoo, the Pilbeam Theatre, the Rockhampton Museum of Art, the Rockhampton Showgrounds, and Kershaw Gardens.

Renowned as the Beef Capital of Australia, the city is also a vital economic, business and service centre for Central and Western Queensland. Rockhampton is a major service hub and provides health, education, community, government, and financial services for Central and Western Queensland. It's proximity to major resource operations and renewable energy projects means that Rockhampton plays an important role in the transition economy.

2.2 Rockhampton population data

- 83,604 (Estimated resident population for 2023)
 - Male 49.4%
 - Female 50.6%
 - 7,102 Aboriginal and/or Torres Strait Islander (8.7% of the population)
 - Median age: 36.9
 - Average household size 2.43 people
 - 25.6% couples with children
 - 23.9% couples without children
 - 13.1% one parent families
 - 26% lone person households
 - 3.2% group households
- Data source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions).*

2.3 Rockhampton housing supply and tenure data

This information provides general information about the composition of dwellings and tenure status in Rockhampton.

Housing supply and dwelling composition	<p>Rockhampton's supply of housing increased modestly between 2016 and 2021. What is most noticeable is that there were increases in the proportion of separate dwellings but decreases in medium- and high-density housing.</p> <p>An action in our plan is to have a greater mix of dwellings in the region.</p> <ul style="list-style-type: none"> • Total dwellings (2021) - 35,714 • Occupied private dwellings (2021) - 32,134 • Total dwellings anticipated by 2041 – 42,144 <p>Dwelling types</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th></th> <th colspan="2">2021</th> <th colspan="2">2016</th> <th>Change</th> </tr> <tr style="background-color: #0070C0; color: white;"> <th></th> <th></th> <th>%</th> <th>Number</th> <th>%</th> <th></th> </tr> </thead> <tbody> <tr> <td>Total Private Dwellings</td> <td>35,714</td> <td></td> <td>34,826</td> <td></td> <td>+888</td> </tr> <tr> <td>Separate house</td> <td>30,701</td> <td>86.0</td> <td>29,470</td> <td>84.6</td> <td>+1,231</td> </tr> <tr> <td>Medium density</td> <td>4,255</td> <td>11.9</td> <td>4,190</td> <td>12.0</td> <td>+65</td> </tr> <tr> <td>High density</td> <td>189</td> <td>0.5</td> <td>201</td> <td>0.6</td> <td>-12</td> </tr> <tr> <td>Caravans, cabin, houseboat</td> <td>347</td> <td>1.0</td> <td>641</td> <td>1.8</td> <td>-294</td> </tr> <tr> <td>Other</td> <td>74</td> <td>0.2</td> <td>167</td> <td>0.5</td> <td>-93</td> </tr> <tr> <td>Not stated</td> <td>148</td> <td>0.4</td> <td>157</td> <td>0.5</td> <td>-9</td> </tr> </tbody> </table> <p><i>Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions).</i></p>		2021		2016		Change			%	Number	%		Total Private Dwellings	35,714		34,826		+888	Separate house	30,701	86.0	29,470	84.6	+1,231	Medium density	4,255	11.9	4,190	12.0	+65	High density	189	0.5	201	0.6	-12	Caravans, cabin, houseboat	347	1.0	641	1.8	-294	Other	74	0.2	167	0.5	-93	Not stated	148	0.4	157	0.5	-9
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Tenure status and vacancy rate	<p>An increasing proportion of Rockhampton households have a private rental tenure. However, the number of bonds held with the RTA has decreased in recent years. Bonds held is an indicator of how much movement is occurring in the rental market.</p> <p>This tightening market is reflected in the vacancy rate, which has been below 1% since June 2020.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th>Tenure</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Fully owned</td> <td>28.3%</td> </tr> <tr> <td>With a mortgage</td> <td>32.7%</td> </tr> <tr> <td>Private rental</td> <td>26.2%</td> </tr> <tr> <td>Social housing</td> <td>4.3%</td> </tr> <tr> <td>Crisis and temporary accommodation (est)</td> <td>0.2%</td> </tr> <tr> <td>Homeless (est)</td> <td>0.4%</td> </tr> <tr> <td>Other accommodation – aged care, gov't staff, etc. (est)</td> <td>7.9%</td> </tr> </tbody> </table> <p><i>Data source: Australian Bureau of Statistics, Census of Population and Housing 2021. Compiled and presented in economy.id by .id (informed decisions)</i></p> <p>The number of rental bonds (private and social housing) held by the Residential Tenancy Authority (RTA) has decreased by approximately 10% since 2019, indicating slow turnover of available rental properties.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th>2022</th> <th>2021</th> <th>2020</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>8,976</td> <td>9,299</td> <td>9,839</td> <td>10,012</td> </tr> </tbody> </table> <p>Rental vacancy and turnover From February 2022 onwards, Central Queensland has had the lowest vacancy rates in the State.</p> <ul style="list-style-type: none"> • Q3 2023 vacancy rate – 1.1% 	Tenure	%	Fully owned	28.3%	With a mortgage	32.7%	Private rental	26.2%	Social housing	4.3%	Crisis and temporary accommodation (est)	0.2%	Homeless (est)	0.4%	Other accommodation – aged care, gov't staff, etc. (est)	7.9%	2022	2021	2020	2019	8,976	9,299	9,839	10,012																														
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- Q3 2022 vacancy rate – 1.3%
- Q3 2023 listings are 1.7% lower than 2022 and 20% lower than 5-year average

Data source: Corelogic Regional Market Update Report, November 2023

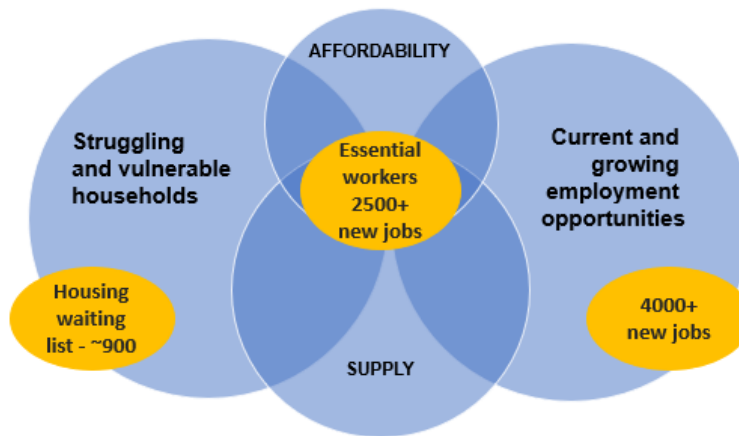
The vacancy rate in Rockhampton was below 1.0% from June 2020 until February 2023. It was as low as 0.3%, with an average of 0.9% in the 30-month period.

Data source: SQM Research, Vacancy rates by postcode.

2.4 Rockhampton’s main housing concerns

When assessing the current and future housing situation in Rockhampton, the following issues became the foundation for the actions in our LHAP:

- Workforce growth is strong with an anticipated 4000+ new jobs to be created over the next 2 years
- Social housing register has remained persistently high - above 900 households
- Affordability for essential workers will become more critical with a forecast increase of 2500+ new jobs and an increasingly unaffordable rental market
- New development is ready to go but is stalled by lack of infrastructure



3.0 Approach and methodology

This Local Housing Action Plan has been developed by identifying a range of issues that impact or are impacted by housing situation in Rockhampton.

While Rockhampton is certainly not alone in experiencing housing pressures, it was important to identify the unique drivers that have led to the situation locally. This was achieved through:

- 1) Analysis of available local, state and national data sets, including:
 - Population data
 - Rockhampton economic data
 - Housing data, including social housing register, housing supply and demand, and housing costs
 - Current, planned and potential residential development
- 2) Extensive stakeholder engagement to ensure that the information that was gathered genuinely reflected the experience "on the ground". Council officers met with a wide range of stakeholders from the region's communities, businesses and services.
- 3) Land assessment was undertaken at the request of DSDLGIP, with further requests from EDQ and Department of Housing. In addition, Council has assessed land suitability for specific housing requirements, such as social and workforce housing. Land identification and assessment will be ongoing.
- 4) Workforce housing assessment has become a priority for Council as major projects and the needs of large employers in the region have highlighted the current and future impacts on housing. It is important for Council to continue to update this information in order to define and prioritise housing requirements.

We identified:

- housing priorities for the Rockhampton region
- issues and barriers to development
- capacity for development within the region
- stakeholders needed to assist in delivery of actions
- roles for Rockhampton Regional Council

These factors were also important considerations in developing actions:

- Ensuring Rockhampton Regional Council has the information available it needs to make decisions
- Ensuring that Council develops strong stakeholder relationships so that the community can work together on housing solutions
- Developing of innovative solutions for our region that suit the identified time-critical needs
- Establishing of realistic targets for different housing needs, based on demand

A summary of key inputs is provided below.

3.1 Data

Population and socio-economic data	<p>Sources used in the LHAP include:</p> <ul style="list-style-type: none"> • Queensland Government – Open Data Portal, Queensland Government Statistician's Office, Jobs Queensland • Australian Government – ABS, data.gov.au, housingdata.gov.au • Social Health Atlases (PHIDU, Torrens University Australia) • .id (informed decisions)
Additional supporting documentation	<p>It is important for the LHAP to be aligned to existing plans and strategies – both those internal to RRC, and those of the Queensland Government.</p> <ul style="list-style-type: none"> • Regional infrastructure plans • Council's planning scheme • Relevant Council strategies, reports and plans • Statistical data from the Queensland Government Statisticians Office, including Census and other data sets such as building approvals, rental market data and housing approvals • Housing needs data from the Department of Housing and other state agencies as required • The Queensland Housing Strategy 2017-2027 and the Housing and Homelessness Action Plan 2021-2025 • Other local data and information such as RAI reports

3.2 Consultation

Stakeholder Consultation	<p>Two stakeholder meetings were held on 15 September and 16 November 2023.</p> <p>Local and out-of-area stakeholders have been consulted individually, including:</p> <ul style="list-style-type: none"> • Community Housing Providers • Indigenous community representatives, including housing services • Queensland Government representatives from Department of Housing (now the Department of Housing, Local Government, Planning and Public Works); Economic Development Queensland; Department of State Development, Infrastructure, Local Government and Planning • Australian Government representatives from Department of Social Services, Regional Development Australia • Major employers and workforce representatives • Sector representatives from construction, healthcare, community services, business/economic development <p>This has led to working closely with relevant stakeholders to address pressing housing demands to accommodate workforce requirements and for the development of social housing. More information about the consultation sessions is in Attachment 1: Stakeholder consultation.</p>
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3.3 Land assessment

Making land available for development has been identified as one of the major roles that local governments can play in addressing housing issues. RRC has worked with Queensland Government, as well as internally, to identify land for residential development.

There is limited land owned by RRC that is available for residential development. Council has also identified State and private land that may be considered for residential development, particularly for social and affordable housing.

State Land Audit Process	<p>RRC responded on 18 October 2022 to a request from DSDILGP to identify surplus land in the Rockhampton LGA as part of the State Land Audit Process, which was an action resulting from the Queensland Housing Summit.</p> <p>Following this, RRC had several discussions with different representatives from DSDILGP, Department of Housing, and Economic Development concerning land availability.</p> <p>On 27 September 2023, DSDILGP Strategic Services & Insights provided a shortlist of land identified as suitable for housing. The shortlist identified 6 parcels of land in Gracemere owned by Department of Housing, and 4 sites owned by RRC (2 in Parkhurst and 2 in Rockhampton CBD).</p> <p>Local governments would benefit from a coordinated approach in future land assessment processes, as well as providing input into the criteria used to determine what land within a region would be most suitable for what types of development (e.g., social housing, affordable housing, medium- or high-density housing, workforce accommodation/housing, and general residential development).</p>
Department of Housing interest in RRC-owned land	<p>In November 2023, RRC was contacted by the Property Section within Department of Housing about purchasing 888 Yaamba Road, Parkhurst (old tennis court site). Council approved the sale of the site on 11 December 2023, conditional to completing a valuation.</p> <p>Also in November 2023, RRC was contacted by a representative from the local office of the Housing Delivery Section about the Yaamba Road site and the William Street site. We informed them that negotiations had progressed with the Property Section for Yaamba Road and provided additional information about William Street. William Street had preliminary concepts developed in conjunction with EDQ for a multi-story housing project for social and disability housing. The project did not progress at that time.</p>
Internal assessment of land	<p>RRC has conducted its own assessment of available land based on:</p> <ul style="list-style-type: none"> • Queries from developers • Current development applications, including greenfield development • Potential for in-fill development • Potential of redevelopment, including CBD development • Needs identified through the LHAP

4.0 Key focus areas

Through the process of working on the LHAP, Council has identified 6 main areas to be worked on:

- Social housing
- Workforce housing
- Affordable housing
- Land availability and planning
- Data, communication and networks
- Challenges and barriers to development

4.1 Social housing

The Rockhampton region has had a growing need for social housing, with those on the register increasing by 50% between 2022 and 2023.

Council has worked with CHPs, other support services providing referral services and emergency accommodation, the Department of Housing, and housing peak bodies. Council activities include:

- Understanding the nature of the developments needed in the region
- Understanding the capacity of local CHPs to develop and manage social housing
- Identifying land suitable for social housing developments
- Developing supports and incentives within Council for social housing development

Data used to assess social housing requirements included:

Social housing dwellings	As of September 2023: <ul style="list-style-type: none"> • 1,772 total social housing dwellings • 336 government-owned <i>Data source: DCHDE, Queensland Government Open Data Portal</i>				
Social housing register	As of 21 August 2023, the Housing Register for the region included 920 applicants who were on the social housing register. Data available for the past five years shows that the number of applicants on the register has dramatically increased. Of note: <ul style="list-style-type: none"> • a significant number of households reporting a disability. • 60% of applicants are single people needing 1-bedroom accommodation 				
Social Housing Register – annual comparison	2023	2022	2021	2020	2019
Rockhampton total	904	605	560	430	283
Very High	903	573	457	256	99
High	--	19	52	97	105
Moderate	1	7	36	54	52
Lower	--	6	15	23	26
TBD	--	--	--	--	1
Longest time on register	98 mo	86 mo	109 mo	97 mo	44 mo
Placed on register in last 12 months	173	194	255	261	232
Disability flag	221	179	71	12	79
Need 1 bedroom	538	526	332	274	174
Need more than 1 bedroom	367	362	228	156	109
*Very High, High, Moderate and Lower are classified as A, B, C, D in 2019-18. <i>Data source: DCHDE, Queensland Government Open Data Portal, Social Housing Register</i>					

Community Housing Providers (CHPs)	<p>There are 312 registered providers nationally (excluding Victoria and WA, whose state governments regulate their CHPs), 82 providers are in Queensland. The highest growth in CHPs is with Tier 3 providers.</p> <p>Rockhampton has three registered CHPs:</p> <ul style="list-style-type: none"> • Anglicare CQ – Tier 2 - largest CHP in Central Queensland with a service footprint that takes in Rockhampton and Livingstone LGAs. • Roseberry – Tier 3 – operates out of Gladstone but has some housing stock in Rockhampton. They also operate a youth crisis accommodation service. • REACH - Tier 3 - manage housing primarily on behalf of the Department of Housing. <p><i>Data source: National Regulatory System for Community Housing</i></p>																																			
Properties in the Rockhampton Region LGA managed by Rockhampton CHPs	<table border="1"> <thead> <tr> <th></th> <th>ANGLICARE CQ</th> <th>ROSEBERRY</th> <th>REACH LTD</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>Total rental units</td> <td>370</td> <td>100</td> <td>114</td> <td>584</td> </tr> <tr> <td>Total owned properties</td> <td>6</td> <td>17</td> <td>8</td> <td>31</td> </tr> <tr> <td>Total managed properties</td> <td>363</td> <td>83</td> <td>106</td> <td>552</td> </tr> <tr> <td>Long-term Community Housing</td> <td>206</td> <td>89</td> <td>111</td> <td>406</td> </tr> <tr> <td>Short- to medium-term housing</td> <td>164</td> <td>0</td> <td>3</td> <td>167</td> </tr> <tr> <td>Crisis accommodation</td> <td>28</td> <td>11</td> <td>0</td> <td>39</td> </tr> </tbody> </table> <p><i>Data source: National Regulatory System Community Housing, National Register for Community Housing Providers https://www.nrsch.gov.au/ (as of 15 December 2023)</i></p>		ANGLICARE CQ	ROSEBERRY	REACH LTD	TOTAL	Total rental units	370	100	114	584	Total owned properties	6	17	8	31	Total managed properties	363	83	106	552	Long-term Community Housing	206	89	111	406	Short- to medium-term housing	164	0	3	167	Crisis accommodation	28	11	0	39
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Issues and other factors identified:

Capacity of CHPs	<p>Discussions with local CHPs has identified that additional social and affordable housing will require additional operational resources. CHPs are planning to develop and manage more social housing but are currently limited by operational capacity.</p> <p>It should be noted that the CHPs located in Rockhampton have service footprints that extend beyond the LGA boundary, encompassing neighbouring councils of Livingstone Shire Council, Gladstone Regional Council, as well as councils in Western Queensland.</p>
Establishment of targets for future social housing development	<p>While both State and Federal Governments have announced targets for increasing social housing, no local targets for have been provided for Rockhampton LGA.</p> <p>Central Queensland is identified as one of 7 target regions on the Department of Housing QuickStarts Queensland webpage, however no specific targets are detailed.</p>

Establishment of targets for social, affordable and other housing was seen as an important first step to addressing local housing issues during stakeholder consultation and was identified as an action that Council should include in its LHAP.

The Queensland Government has, through its *Homes for Queenslanders* plan, a target of “53,500 new social homes by 2046” with a financial contribution to social housing of \$1.25 billion “over next five years to contribute to a ramp up to over 2,000 social homes each and every year from 2028.”

Based on this, there is a target of 36,000 homes during the 18-year period between 2028 and 2046, leaving 17,500 homes to be constructed before 2028. It is vital to ensure Rockhampton receives enough of these additional social homes to meet the need in the region.

Development of housing solutions	<p>In Rockhampton, social housing is either developed by the Department of Housing or by Anglicare CQ. Other CHPs do not have the capacity at present to deliver new housing construction projects.</p> <p>In November 2023, Council have been contacted by Department of Housing concerning two sites that could be for social housing development.</p> <p>Council have worked with Anglicare CQ to identify potential available land to meet the requirements for specific development, and to develop targets for social housing development in Rockhampton.</p>												
Preferences for social housing	<p>The need to diversify location of future social housing projects</p> <p>The suburb of Berserker holds a large proportion of Rockhampton’s public and community housing stock. This has presented challenges for community services and Queensland Police, as well as for neighbouring residents.</p> <p>Preferred locations for those on the register</p> <p>Anglicare CQ provided information about the preferred location of those on the social housing register. The list also includes Yeppoon, in Livingstone Shire Council. The preferred locations for areas within the Rockhampton LGA are:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0070C0; color: white;"> <th></th> <th style="text-align: center;">Number</th> <th style="text-align: center;">Ratio of suburb population</th> </tr> </thead> <tbody> <tr> <td>Rockhampton</td> <td style="text-align: center;">817</td> <td style="text-align: center;">1.2%</td> </tr> <tr> <td>Gracemere</td> <td style="text-align: center;">152</td> <td style="text-align: center;">1.3%</td> </tr> <tr> <td>Mount Morgan</td> <td style="text-align: center;">43</td> <td style="text-align: center;">2.1%</td> </tr> </tbody> </table> <p><i>Data source: Anglicare CQ Social housing waiting list breakdown</i></p> <p>While Mount Morgan is a small community (2,018), there is a relatively high demand for social housing in that locality. As the most affordable suburb in the LGA with the highest level of disadvantage, it is the most vulnerable to increasing rental/housing costs. Through its internal land assessment, Council has identified potential sites for consideration.</p>		Number	Ratio of suburb population	Rockhampton	817	1.2%	Gracemere	152	1.3%	Mount Morgan	43	2.1%
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Coordination of social housing development	<p>Council has worked with CHPs and other developers who have expressed an interest in social housing development in the Rockhampton region. In most cases, this has been with respect to Council-owned land that could be given or leased.</p> <p>Council has worked with the Queensland Government during the land audit process. Recent discussions have identified opportunities for increasing the supply of social housing in the region. Understanding the government’s plans</p>												

helps Council to identify opportunities to negotiate the location and type of housing to be developed.

Council would be open to a plan for working together to deliver the actions in this LHAP.

4.2 Workforce housing

Anticipated workforce growth – not projected population growth based on historical patterns – provides a much clearer and more detailed picture of future demand for housing in Rockhampton.

The number one driver for housing issues in Rockhampton is current and forecast workforce growth. The pressures related to workforce housing have impacts affordability and supply of housing, and more importantly, significant impacts for the region’s economy.

Following consultation with local employers, industry sector representatives, and proponents for upcoming major projects, Council has a good understanding of the extent and nature of housing issues for the region’s workforce and employers. In addition, current workforce data and projections from Jobs Queensland have identified the industry sectors that are likely to feel housing pressures the most.

Rockhampton has several major projects (Rockhampton Ring Road, Fitzroy-Gladstone Pipeline, Mount Morgan Pipeline) that will impact the region’s housing and rental markets. There are also a significant number of renewable energy projects across our LGA and the Central Queensland region that will require workforce accommodation.

Using this information, workforce numbers and specific housing requirements have been mapped out by:

- Industry sector
- Workforce numbers (local and non-local)
- Type of accommodation needed (worker camp, temporary/short-term, transitional, permanent)
- Type of dwelling
- Location
- Timeframes

Understanding where and when this growth is occurring has helped RRC to identify stakeholders that need to be brought together to work on housing solutions together. Combined with information about land availability, construction capacity and other factors, Council is able to prioritise workforce housing projects.

Information in *Attachment 2: Workforce requirements* summarises findings so far. Council’s understanding of workforce housing requirements will continue to develop, particularly as new major projects and industries such as renewable energy grow within the region.

Current workforce	Current workforce			
	<ul style="list-style-type: none"> • 39,976 employed residents • 66.5% of workers aged 25-54 work full-time 			
	Rockhampton’s current proportion of employment in these industries and the projected new jobs for Rockhampton by 2025/26:			
		Central Queensland	Rockhampton - Current	Rockhampton - Projected new jobs
	Health Care and Social Assistance	15,831	9,051 (57%)	2,016
Retail Trade	13,008	4,315 (33%)	376	
Construction	12,089	3,319 (27%)	1,531	

	Education and Training	11,680	4,380 (37%)	413																	
	Mining	11,309	991 (9%)	71																	
	<i>Data sources: Jobs Queensland Anticipating Future Skills Series 4: Working Paper, the top growth industries in Central Queensland (projections for employment numbers by 2025-26)</i>																				
Anticipated demand	Rockhampton provides diverse opportunities for employment in the region. A significant barrier to economic development is the availability of housing.																				
	<p>Projections from Jobs Queensland were used to identify sector jobs growth. Into this information, RRC have incorporated additional information collected from consultations with major project proponents, particularly in construction and renewable energy projects, which were not included in the Jobs Queensland data. Please see <i>Attachment 2: Workforce requirements</i> for more detail.</p> <p>Of note:</p> <ul style="list-style-type: none"> • Central Queensland is the 4th fastest growing region in the State in terms of employment opportunities • The fastest growing and largest industry is Health Care and Social Assistance, which is anticipated to add over 2,000 jobs in the Rockhampton LGA <table border="1"> <thead> <tr> <th>Sector</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Services (Healthcare, social/community services, education, retail)</td> <td>2,805</td> </tr> <tr> <td>Renewable energy</td> <td>1,350</td> </tr> <tr> <td>Resources</td> <td>150</td> </tr> <tr> <td>Defence</td> <td>70</td> </tr> <tr> <td>Transportation</td> <td>70</td> </tr> <tr> <td>Agriculture</td> <td>680+</td> </tr> <tr> <td>Construction</td> <td>1,531+</td> </tr> <tr> <td>TOTAL</td> <td>6,656+</td> </tr> </tbody> </table> <p><i>Data sources: Jobs Queensland Anticipating Future Skills Series 4: Working Paper, the top growth industries in Central Queensland (projections for employment numbers by 2025-26); consultation with local employers and industry stakeholders</i></p>				Sector	Number	Services (Healthcare, social/community services, education, retail)	2,805	Renewable energy	1,350	Resources	150	Defence	70	Transportation	70	Agriculture	680+	Construction	1,531+	TOTAL
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The construction workforce requirements for major projects are still being identified. In addition to the number of workers, we are using project delivery timeframes and proponent requirements to identify demand to match up with opportunities.

Government employee housing	<p>Queensland Government has:</p> <ul style="list-style-type: none"> • 7 houses in Rockhampton • 1 house planned for Mount Morgan <p><i>Data source: information supplied by Department of Housing</i></p>
	<p>In addition to the above, Queensland Police provided information about their past need for employee housing. Accommodation had been sold off in recent years, with the remaining residence being earmarked for conversion to office accommodation due to a shortage of office space.</p> <p>Consultation with other government stakeholders confirmed that much of government employee housing had been sold in the past, with the rationale that housing was affordable, and supply was plentiful.</p> <p>Based on workforce projections (detailed in <i>Attachment 2: Workforce requirements</i>), there is likely to be an increased demand for those employed in government roles, particularly in Healthcare and Social Assistance sector.</p>

	<p>Consultation with healthcare sector representatives, including those from Queensland Health, have indicated that housing is the number one issue facing the sector.</p> <p>In housing affordability report, <i>Town of Nowhere</i>, commissioned by QCOSS, and Anglicare’s <i>Rental Affordability Snapshot</i>, two noteworthy points were highlighted:</p> <ul style="list-style-type: none"> • Central Queensland is one of 3 affordability hotspots, with the other 2 in SEQ • Essential workers in government roles, such as ambulance officers, nurses and teachers, can only afford 1-3% of rental properties in Central Queensland
<p>Affordability considerations for essential workforce</p>	<p>As highlighted in analysis by QCOSS and Anglicare Australia, essential workers are most vulnerable to changes in housing affordability.</p> <p>Four of the top 5 industries in Rockhampton are predominantly made up of essential workers. And it is anticipated that over 1000 of the anticipated 6,600+ new jobs created in the next 2 years will be in these industries.</p> <p>Rockhampton will need to increase its supply of affordable rental properties.</p>
<p>Identifying workforce housing requirements</p>	<p>To identify current and future housing requirements and impacts on the local housing market, Council are collecting information from major employers, proponents of major projects, and industry representatives. As well, we have used Jobs Queensland workforce projections. The results are summarized in <i>Attachment 2: Workforce requirements</i>.</p> <p>The information we have collected includes:</p> <ul style="list-style-type: none"> • Workforce numbers • Type of workforce – Operational, Project, Seasonal • Housing requirements – Worker camp, Temporary/Short-term, Transitional, Permanent • Location – suburb or locality • Timeframes – estimated start and end dates for projects, stages (if known), start dates for operational
<p>Development of housing solutions</p>	<p>Council is working with major employers, proponents of major projects and industry representatives to develop solutions to meet housing requirements for their workforces. These include:</p> <p>Temporary workforce accommodation</p> <ul style="list-style-type: none"> • Deliver legacy benefits, including repurposing for social housing, tourism or other short-term accommodation. • Ability to share facilities between multiple projects <p>Medium-density housing for high-volume employers Issues that employers have raised are:</p> <ul style="list-style-type: none"> • Proximity to work as immigrant workforce may not have the ability to drive • Inclusion in community <p>Housing for executives associated with major projects</p> <ul style="list-style-type: none"> • Housing suitable to bring family • Community connections

<p>Workforce housing issues identified during consultation</p>	<p>Early on in consultation with stakeholders, it became apparent that Rockhampton's employers across all sectors are affected by the lack of housing for current and future workforce.</p> <p>The lack of housing to meet workforce needs impacts Rockhampton's economy:</p> <ul style="list-style-type: none"> • Jobs are going empty Several large employers across a number of industries have reported that they are unable to fill vacant positions due to the inability to find housing in the region. • Rockhampton's ability to be a service hub for Central Queensland and beyond is at risk Rockhampton is home to healthcare, community, education and other services for Central and Western Queensland. The largest employment sector in Rockhampton is in healthcare and social services, and this is expected to continue to grow by over 2000 new jobs by 2025/26. Analysis by Anglicare and QCOSS have assessed housing affordability for essential workers across Queensland and have identified Central Queensland as an unaffordability 'hotspot'. Consultation with healthcare and aged care providers indicates that all services resort to FIFO/non-local agency services to fill employment gaps. The lack of housing has been identified by healthcare as the number one barrier to overcome. • There is no reliable accommodation for freight transportation workforce supporting Queensland's economy A lack of short-term accommodation is affecting freight transportation the workforce that supports local and regional businesses. This impacts supply chains, construction, agriculture and resources sectors. • Demand for short-term accommodate puts tourism and event hosting at risk Short-term accommodation is being used as extended or even semi-permanent housing for the region's workforce. Short-term accommodation is also being used to meet the demands for crisis accommodation and urgent social housing. • Lack of adequate housing affects retention of workers brought to the region Several large employers and industry representatives have stated that despite a high degree of liveability in Rockhampton, community connections need to be improved. Inadequate temporary or short-term accommodation, with little to no community connection results in workers deciding not to settle in the region. This is particularly the case with immigrant workforce or instances where families are unable to move along with the newly employed worker.
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CASE STUDY #1 – WORKFORCE HOUSING IMPACTS - TEYS AND ALL INDUSTRIES

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Council has consulted with major employers in the region to get an understanding of how housing availability and affordability has impacted their businesses. It's important to have a thorough understanding of what their needs are so that solutions can not only meet their requirements, but also provide ongoing benefits to the region's communities.

These requirements are more complex than just staff numbers, as the circumstances of these two large employers demonstrate.

All Industries is an engineering and fabrication business that supports several major industries in the region. They have had challenges filling vacancies because of the lack of available and suitable housing in Rockhampton. The issues they have identified are:

- **Jobs are going empty**

The founders of All Industries have stated that unless there is housing available, they are unable to attract many skilled jobs. They and other similar businesses would be able to create 100s of jobs if it weren't for a lack of housing.

- **Reliance on short-term accommodation to bring people to the region, but no housing for people to bring their families once they're established in their jobs**

As a result, many workers stay for brief periods and then leave. This has significant impacts for All Industries' workforce costs.

- **High proportion of immigrant workforce unable to secure rental accommodation**

Without a rental history, many workers are locked out of the rental market. Temporary accommodation has been secured at CQU dormitories, but this is an interim solution only.

Teys is a meat processing plant, and as Rockhampton is the Beef Capital of Australia, it plays a key role in the region's economy. With plans to expand their workforce significantly starting in 2024, Teys has an urgent need for accommodation.

- **Open to innovative solutions for housing that benefit the community**

Teys approached Council to seek solutions to sourcing or developing housing for their growing workforce. They are willing to participate in developing and delivering housing that will meet their needs, as well as providing benefits to the community. They are aware that any development needs to be sensitive to the community's views.

- **Consideration of Fringe Benefit Tax implications**

By providing housing for its workforce, Teys is potentially subject to Fringe Benefit Taxes. This could be a possible disincentive to growing their workforce. Teys does not want to become landlords but would rather seek arrangements for private ownership and management.

- **The type of housing needed is unique**

Teys has a large immigrant workforce. And on paper, it would appear that lone-person accommodation is what's needed. In many cases, however, workers plan to bring family eventually after they have settled, saved money and found permanent accommodation. As such, there is a need for 'transition' accommodation. However, because of the lack of affordable housing, this transition has now become drawn out – placing stress on those transition accommodation arrangements.

4.3 Affordable housing

Affordable housing is a priority for the Queensland Government and for the Rockhampton region. Workforce projections indicate that the greatest demand for jobs will be in essential services, and a significant proportion of these workers will need to be brought from out of area. Assessment of affordability by employment sector shows that essential workers are only able to afford 1-3% of available rental properties.

Affordable housing is also reliant on local context. A recent article in the media (<https://www.abc.net.au/news/2023-12-19/rockhampton-cheapest-houses-in-queensland-reig-report/103229314>) stated that Rockhampton is the most affordable city in Queensland in which to purchase a house, with a median price lower than other cities and regional centres.

Housing still remains unaffordable for many of Rockhampton's residents. For those renting, Central Queensland (including Rockhampton) is an unaffordability 'hotspot'. The change in median rents between 2018 and 2022 were the second highest in the state – increasing by 41% for 2b flats and 42% for 3b houses.

The vacancy rate in Rockhampton has been persistently low – currently at 1.1% but has been less than .9% over the past two years. The demand for social housing has increased dramatically, which places even greater strains on the limited supply of affordable private rentals.

This undersupply of private rentals can be tracked by the number of new rental bonds lodged annually decreasing by over 10% in the last 4 years. Rockhampton also had one of the largest reductions in rental property supply, with a reduction of 24% between 2019 and 2022 (Hal Pawson Report). By contrast, greater Brisbane had a reduction in rental properties between 5% and 9%.

The perception of relative affordability in Rockhampton has made the region attractive for out-of-area investors, with many properties never making it to open market. This has the impact of further distancing local residents looking to purchase affordable housing.

A lack of affordable housing can also have flow-on effects. Consultation with health and aged care sector representatives has highlighted the urgent need for housing by care workers and the impacts on the ability of services to meet the demands of those within their service footprints. As the hub of health, social, education and other services that cover large areas of Central and Western Queensland, Rockhampton may be at risk of being unable to provide adequate services more than just local residents.

It will be important for Council to plan for and encourage a variety of housing types, including a mix of affordable housing options, taking into consideration where essential workers are needed throughout the region.

CASE STUDY #2 - CENTRAL QUEENSLAND – AFFORDABILITY HOTSPOT

Rockhampton is a service hub for Central and Western Queensland, providing access to healthcare, education, social/community and financial services. Rockhampton is home to a large number of residential aged care facilities, as well as disability and youth services.

Four of the top five employment sectors in Rockhampton are categorised as essential worker occupations.

Two reports released in 2023 have looked at regional rental affordability:

- Anglicare Australia – *Rental Affordability Snapshot: Regional Reports, Fourteenth Edition and Rental Affordability Snapshot: Essential Workers Report, Special Release*
- University of New South Wales for Queensland Council of Social Services (QCOSS) – *The Town of Nowhere: A Blueprint to Tackle Queensland's Housing Crisis* (Hal Pawson Report)

The reports looked at rental affordability from the standpoint of household wage levels, with one of the Anglicare reports also focusing on essential workforce jobs:

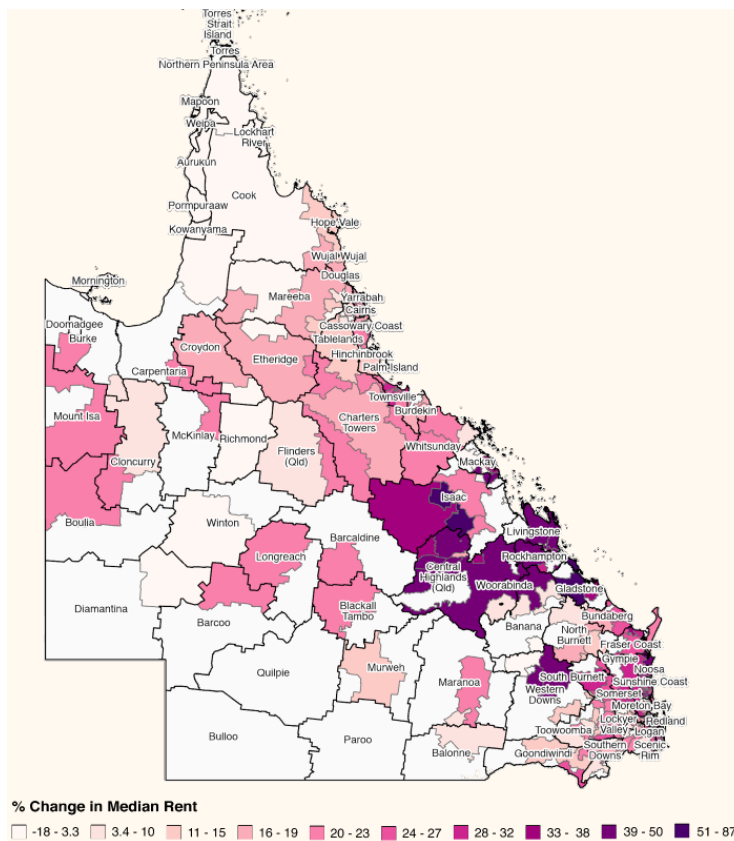
Rental affordability by occupation – national listings on 17 March 2023

Occupation	Number of workers in this occupation	Percentage of housing affordable to workers in this occupation
Aged care worker	507	1.10%
Ambulance officer	1087	2.40%
Cleaner	522	1.10%
Construction worker	582	1.30%
Delivery driver	522	1.10%
Dispatcher	507	1.10%
Early childhood educator	428	0.90%
Freight driver	506	1.10%
Hospitality worker	424	0.90%
Meat packer	424	0.90%
Nurse	666	1.50%
Retail worker	522	1.10%
School teacher	1507	3.30%
Social and community services worker	522	1.10%

Data source: Anglicare Australia, Rental Affordability Snapshot, Essential Workers, 2023

When combined with workforce projections from Jobs Queensland and stakeholder engagement within the health care sector, it's clear that Rockhampton's current and immediate future as a service hub for Central and Western Queensland is at risk.

Outside of SEQ, Central Queensland has had the greatest change in median rents – creating an unaffordability 'hotspot'. Rockhampton's median rents increased by 41% for 2b flats and 42% for 3b houses between 2018-2022.



Data source: UNSW, The Town of Nowhere, March 2023

Changes in median rents and home values	Between 2018 and 2022, Rockhampton had the second highest change in median rent in the state (41% for 2b flats, 42% for 3b houses).											
	<table border="1"> <tr> <td>Median rent (pw)</td> <td>\$484</td> </tr> <tr> <td>Annual change (2022 – 2023)</td> <td>6.3%</td> </tr> <tr> <td>5-year change (2018 – 2023)</td> <td>48.1%</td> </tr> <tr> <td>Home value</td> <td>\$397,102</td> </tr> <tr> <td>Yearly change (2022 – 2023)</td> <td>9.8%</td> </tr> <tr> <td>5-year change (2018 – 2023)</td> <td>43.3%</td> </tr> </table> <p>Information is from CoreLogic Regional Market Update, November 2023 (values for October 2023)</p>	Median rent (pw)	\$484	Annual change (2022 – 2023)	6.3%	5-year change (2018 – 2023)	48.1%	Home value	\$397,102	Yearly change (2022 – 2023)	9.8%	5-year change (2018 – 2023)
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Reduction in private rental tenancies	<p>Tenancies created or lost between 2018 and 2022:</p> <ul style="list-style-type: none"> • Rockhampton: -24% • Brisbane: -9% • Queensland: -13% <p><i>Data source: Residential Tenancies Authority, Queensland</i></p>											
Change in Median Weekly Rents – All dwellings, Rockhampton Region LGA 2012-2023	<p><i>Data source: Residential Tenancies Authority, Queensland</i></p>											
Increase in median rents	<p>Percentage change in median rents between 2018 and 2022:</p> <ul style="list-style-type: none"> • Rockhampton: +41% (2b flat), +42% (3b house) • Brisbane: +19% (2b flat), +28% (3b house) • Queensland: +18% (2b flat), +24% (3b house) <p><i>Data source: CoreLogic Regional Market Update</i></p>											

4.4 Land and planning

As mentioned, there is a limited amount of land owned by RRC within the region. Council has assessed that land and identified some sites that could be considered for residential development. Council will continue to work with developers and CHPs to identify land opportunities.

Land

Identified suitable land	<p>Suitable land for development has been identified through:</p> <ul style="list-style-type: none"> • State Government Land Audit Process, which identified sites that were deemed suitable for housing development. The results from that process are in Attachment 4: Land assessment
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	<ul style="list-style-type: none"> Internal audit, which has produced an internal list of land that could be considered for different types of housing development Consultation with individual developers (residential and social housing) 																																																
Development – planned and under discussion	<p>Prior to the LHAP process, Council have been working with developers on 3 estates in the northern suburb of Parkhurst.</p> <p>During the development of the LHAP, Council have worked with Department of housing to progress discussions on potential sites for social and affordable housing development.</p>																																																
Rockhampton’s high growth areas	<p>Rockhampton has two main high growth areas – Gracemere in the south, and Parkhurst in the North. The CBD is also anticipated to experience growth as multi-story developments progress.</p> <table border="1"> <thead> <tr> <th>AREA</th> <th>2021</th> <th>2026</th> <th>2031</th> <th>2036</th> <th>2041</th> <th>Total change</th> <th>Avg. annual % change</th> </tr> </thead> <tbody> <tr> <td>Rockhampton LGA</td> <td>83,196</td> <td>85,142</td> <td>89,151</td> <td>93,562</td> <td>98,102</td> <td>+14,906</td> <td>+0.83</td> </tr> <tr> <td>Gracemere (North)</td> <td>4,619</td> <td>4,934</td> <td>5,667</td> <td>6,385</td> <td>7,085</td> <td>+2,466</td> <td>+2.16</td> </tr> <tr> <td>Gracemere (South)</td> <td>7,612</td> <td>7,898</td> <td>9,089</td> <td>10,385</td> <td>11,699</td> <td>+4,087</td> <td>+2.17</td> </tr> <tr> <td>Parkhurst – Northern suburbs</td> <td>3,350</td> <td>4,083</td> <td>5,287</td> <td>6,872</td> <td>8,512</td> <td>+5,163</td> <td>+4.77</td> </tr> <tr> <td>Rockhampton CBD</td> <td>3,087</td> <td>3,505</td> <td>4,007</td> <td>4,466</td> <td>4,913</td> <td>+1,826</td> <td>+2.35</td> </tr> </tbody> </table> <p><i>Data source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021. Compiled and presented by .id (informed decisions).</i></p>	AREA	2021	2026	2031	2036	2041	Total change	Avg. annual % change	Rockhampton LGA	83,196	85,142	89,151	93,562	98,102	+14,906	+0.83	Gracemere (North)	4,619	4,934	5,667	6,385	7,085	+2,466	+2.16	Gracemere (South)	7,612	7,898	9,089	10,385	11,699	+4,087	+2.17	Parkhurst – Northern suburbs	3,350	4,083	5,287	6,872	8,512	+5,163	+4.77	Rockhampton CBD	3,087	3,505	4,007	4,466	4,913	+1,826	+2.35
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Areas that are and will continue to experience housing pressures	<p>Understanding the timeframes, accommodation requirements, and the impacts for communities will help Council to plan appropriately for housing in these areas, as well as to attract development.</p> <p>Parkhurst The northern suburbs are Rockhampton’s high-growth corridor. Planned estates have the capacity of adding 3500+ homes to the region. A current barrier is accelerating enabling infrastructure so that construction can proceed.</p> <p>Gracemere Gracemere sits strategically on the Capricorn Highway, which provides ready access to major projects, such as the Gladstone water pipeline project, as well as numerous renewable energy projects that are due to commence in the region. There is a need to manage large temporary workforces, as well as workers who plan on staying in the region to work progressively on the renewable energy projects.</p> <p>Mount Morgan Mount Morgan has a high degree of disadvantage. However, it also offers some of the most affordable housing in the region. It is currently experiencing rapid increases in housing prices and rental costs, as it catches up to other suburbs in the LGA. Heritage Minerals has begun work to establish operations, which will add 250 construction jobs. Once operations commence, 150 new jobs will come on-line. This has the potential of further increasing housing pressures. Assessment of the social housing register show that there is a great deal of interest in the community for available social housing.</p>																																																
Areas for future development	<p>In addition to the suburbs above, there are areas where future development may be considered.</p>																																																

	<p>CQU Campus Consolidation</p> <ul style="list-style-type: none"> • CQU is seeking to consolidate its presence in Rockhampton to its northern campus in Norman Gardens. • Its southern campus is located next to the Rockhampton Base Hospital precinct, which could meet the needs for healthcare services and workforce accommodation. • Part of the land on its northern campus is being proposed to become a Priority Development Area (PDA), which could include planning for housing, in particular affordable housing. • Council is working closely with CQU to support planning for both campuses. <p>CBD</p> <p>Proximity to services and public transportation makes the Rockhampton CBD and adjacent areas desirable for some types of housing development, including social and affordable housing, as well as workforce accommodation.</p> <p>In-fill</p> <p>A concern shared by many stakeholders was the lack of community connectivity for certain groups of people/workforces. Large employers and major project proponents have stressed that they want to minimise negative impacts on communities through large-scale development. There is also a preference to avoid concentrating social housing development in any one area within the region. A solution to be investigated is incentivising in-fill development, which could provide mutually beneficial outcomes for temporary workforce accommodation and future social housing development.</p>
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Planning

Rockhampton Regional Council regulates new development through its Planning Scheme. The intentions of RRC’s Planning Scheme are to:

- provide a high-quality urban environment through design outcomes achieved in the built form of buildings and streetscaping
- address the changing needs of the Rockhampton community by providing housing choice and diversity and accommodate growth

Council has worked on residential density provisions and has identified future amendments to encourage greater diversity in development.

In the past, Council has had inventive programs to attract certain types of development, for example through discounts on infrastructure charges. Through developing the LHAP, Council has recognised that it is important to attract and facilitate social housing development to the region in order to meet demand. Council is developing a process and policy for assessing social housing projects that may be suitable for incentives.

<p>Residential density provisions under the Planning Scheme</p>	<p>Workforce requirements, the social housing register and demographic information, indicate that smaller lot sizes will provide the diversity in housing that will suit the needs of our region’s households.</p> <p>Within residential areas many lots already exist that are smaller than 400m2 throughout particularly Rockhampton. Development of small lots is likely to occur gradually over time and where redevelopment opportunities arise.</p> <p>Council looks to achieve higher residential density through infill development and working with greenfield developers to incorporate a greater variety of housing options.</p>
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	In addition, Council is working with CHPs and representatives from major projects and employers to identify locations for appropriate higher density development.
Future amendments	<p>Future amendments to the Planning Scheme include:</p> <ul style="list-style-type: none"> • Reducing of minimum lots sizes for residential subdivisions • Increasing density for units (duplex, multiple dwelling) • Reducing levels of assessment (multiple dwelling)

4.5 Data, communication and networks

Housing is a complex issue, with policy, legislation and regulation at all levels of government. The policy environment has changed and evolved quickly, with new policies, construction/supply targets, funding programs, and governance structures emerging while this LHAP has been developed. Coordination between levels of government relies on:

- access to authoritative and meaningful data
- effective communication channels
- strong local and regional networks that feed into housing discussions

Data	<p>In developing the LHAP, RRC have found differences and gaps in the housing data that has been used to describe the current housing situation in Rockhampton and in other areas. Issues we have found include:</p> <ul style="list-style-type: none"> • Data is sometimes not available at an LGA level or includes areas outside the LGA • Up-to-date data is not always available, with 2021 Census data frequently being the only data publicly available • Different sources are sometimes used for same/similar data • Some data is not publicly available <p>Early Australian Government housing reviews highlighted the importance of reliable, authoritative data for decision making. The focus of recent policy development, such as <i>Homes for Queenslanders</i>, has been on developing a policy environment that can generate development quickly and provide immediate support to services. That is essential in these times.</p> <p>Coordinating development and future planning between local governments and the Queensland Government will rely on a shared 'language' in the form of agreed indicators and access to relevant data for their LGAs.</p>
Communication	<p>Over the past 2 years, Council has had several discussions about land availability and future development with different areas within the Queensland Government, including DSDLGIP, EDQ and multiple sections within DCHDE (Department of Housing). In many cases, the representative was unaware that Council had been contacted by other government representatives about the same parcels of land.</p> <p>In the development of the LHAP, there was differing levels of awareness between Queensland Government areas, although this is improving. Council has been fortunate to have a regional contact who has assisted in being a first point of contact.</p> <p>To ensure that the actions from Local Housing Action Plans can be successfully delivered, communication channels need to be established and understood, particularly across departments and units with whom local governments may need to work.</p>

Networks	<p>RRC has undertaken consultation with representatives from the housing sector, businesses, community services, and government. There has been a great deal of enthusiasm to continue being involved in information sharing and developing solutions collaboratively.</p> <p>Local stakeholder networks have added insights to the housing and population data available. This has helped Council to identify the specific housing drivers in Rockhampton.</p> <p>In addition, work through Council's Economic Development arm, Advance Rockhampton, has highlighted just how important solving Rockhampton's housing crisis is to the local economy and our region's employers.</p> <p>Council intends to continue working with these networks to address the main housing issues we face:</p> <ul style="list-style-type: none"> • The need for more social housing stock • The need for more affordable housing, specifically for our essential workers • The need for housing for our growing workforce • The need to develop and facilitate attractive propositions for investment in residential development
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5.0 Challenges and barriers to development

Council has identified some challenges and barriers to residential development in the region, as well as factors that need to be considered in planning and prioritising housing development in the region.

Reduced capacity to source funding for enabling trunk infrastructure	<p>Development in the high-growth area of Parkhurst could yield 3,500+ new homes. However, the capacity of Council to deliver enabling trunk infrastructure (roads, water, wastewater) is limited due to:</p> <ul style="list-style-type: none"> • a large capital works program • delivery costs are only partially recovered through infrastructure charges • reduced capacity to self-fund because of reduction in Council's Financial Assistance Grant • limited ratepayer base in a region with high levels of socio-economic disadvantage <p>The options open to Councils to fund the delivery of significant infrastructure projects are limited:</p> <ul style="list-style-type: none"> • Few appropriately scaled funding programs to support major infrastructure projects in regional areas • Wastewater infrastructure is not catered for in infrastructure strategies and funding programs <p>Given the timeframes set by the Queensland and Australian Governments to increase housing supply, delivery of trunk infrastructure must be accelerated. This can happen through direct financial support to local governments to deliver infrastructure projects.</p>
Making funding and incentive programs suitable for regional areas	<p>There are funding and incentive programs designed to support diverse housing development. However, many of the programs are either not available outside SEQ, seek to fund large scale projects that are not suitable for most regional areas, or do not fully meet the needs of local governments.</p> <p>These include:</p> <ul style="list-style-type: none"> • Growth Acceleration Fund – not available outside SEQ

	<ul style="list-style-type: none"> • Build to Rent – not suitable for more modest development needed by regions • NHIFCI – one of the few funding programs that covers infrastructure, however the combination of grant and loan is not viable for local governments seeking to limit borrowing or for projects where developers will find borrowing from other sources to be more attractive • NAIF – does not accommodate smaller scale infrastructure projects, despite an objective to support housing development
<p>Urgent timeframes for workforce housing</p>	<p>Rockhampton’s number one housing driver is the need to accommodate anticipated workforce requirements from:</p> <ul style="list-style-type: none"> • Major infrastructure projects • Increased renewable energy projects • Large employers seeking to increase their workforce • Anticipated growth in sectors vital to Rockhampton, such as healthcare, construction and agriculture <p>The anticipated short-term growth is detailed in Attachment 2: Workforce requirements.</p> <p>Council is working with major projects and employers to identify housing options for immediate needs.</p> <p>In the short-term, Council is refining the specific housing requirements, identifying land, and working with stakeholders to develop proposals that will be attractive for investment.</p>
<p>Making investment in social and affordable housing attractive</p>	<p>The housing pressures in Rockhampton have been felt across all communities and households. However, those that are vulnerable or struggling have been more acutely affected – with affordability decreasing markedly in the last year and more swiftly than the state average (see Median rent data above).</p> <p>Traditionally, Rockhampton’s housing supply has been able to meet the needs of most people in the community. A reasonable supply of affordable housing was the rationale for the reduction of government housing, and major employers did not have issues with finding housing to attract and retain workers.</p> <p>Faced with the volume of housing that is needed and in particular, the need for an increased supply of affordable housing, Council will need to work with developers to encourage a variety of housing. While smaller lot sizes and medium density development can create some affordable housing options, a range of incentives and attractors will need to be developed.</p> <p>Council will also assist with identification of land availability and funding/investment opportunities, including government programs, that may be open to developers.</p>
<p>Capacity of CHPs and other support providers</p>	<p>Discussions with CHPs working to increase the supply of social and affordable housing has identified the parallel need for greater capacity within their organisations to manage.</p> <p>The Queensland Government’s <i>Homes for Queenslanders</i> initiative has announced that additional funding has been allocated to service providers.</p> <p>Council is developing a Social Housing policy, which will outline what support Council is able to provide and the processes involved. As well, there will be criteria to ensure that the developer has demonstrated that it has considered the capacity of CHPs to manage additional housing supply.</p>

Capacity of construction sector	<p>Consultation with residential development and construction sector representatives suggest that supply chain issues are still a problem, but that there is some certainty around availability of materials that had not been there previously.</p> <p>Of more concern was labour availability. Some residential projects have had to bring in trade specialists (tilers, electricians, etc.) to complete projects. This has made some types of development – primarily multi-story residential development - difficult in Rockhampton.</p> <p>Council has been approached by housing developers using a variety of construction methods, including temporary, modular and manufactured homes. These may be considered when addressing the urgent need for housing for major projects and large employers in the region.</p>
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6.0 Response opportunities

6.1 Work to-date and underway

Council has delivered some of actions in this LHAP and has progressed others significantly. During the development of this LHAP, other actions that impact Council's decision making have been incorporated.

- Facilitated social housing projects and identified potential sites for social housing development
- Convened stakeholder groups for social housing, workforce housing and residential development
- Facilitated discussions about land availability and potential sale for residential development

6.2 Actions

□	Land and Development	Progress
1.1	Increase greenfield residential land supply through amendment of the Rockhampton Region Planning Scheme. (Completed via Planning Scheme Major Amendment implemented October 2023)	Completed
1.2	Progress sale of Council land at 888 Yaamba Road to the Department of Housing for social housing development – subject to agreed valuation and due diligence.	Underway
1.3	Continue to explore further opportunities around potential development of State and Council land through collaboration between Council, the Department of Housing and Economic Development Queensland. Current areas of interest include Rockhampton CBD and Mount Morgan.	Underway
1.4	Economic Development Queensland to investigate potential residential development of the CQU Priority Development Area (northern campus) in conjunction with Council and CQ University.	Underway

○	Planning	Progress
2.1	Consider current and future housing requirements in the 10 Year statutory review of the Rockhampton Region Planning Scheme.	Underway
2.2	Encourage mixture of housing in residential development and establish targets for incorporating affordable housing within residential developments	Initiated
2.3	Work with developers to incorporate affordable housing in residential developments	Initiated
2.4	Develop proposals for potential workforce housing projects	Underway

○	Optimisation	Progress
3.1	In line with the <i>Homes for Queenslanders</i> targets for social housing development, Council to advocate to the State that Rockhampton region (LGA) receive a proportionate quantity of housing.	Underway
3.2	Establish targets for private housing development in the Rockhampton region, and work with stakeholders to update targets based on demand, timeframes and housing requirements.	Underway
3.3	Improve communication and collaboration between the Department of Housing, Community Housing Providers and Council to identify potential land for social housing and progress planning and development.	Underway
3.4	Work with State agencies on plans for Queensland Government employee housing needs, including surveying State government agencies on housing requirements.	Not started
3.5	Strengthen existing and establish new networks to identify innovative housing solutions that coordinate demands for housing and return legacy benefits to the community, particularly for: <ul style="list-style-type: none"> Major civil and renewable construction projects' workforces Large and/or growing employers with high need for workforce accommodation 	Underway
3.6	Identify and advocate for regional incentives or programs that encourage innovative housing solutions such as Build to Rent, Growth Acceleration Fund, infrastructure investment, etc.	Not started
3.7	Advocate for greater support from State and Federal Governments for Fringe Tax Benefit policy change/temporary supports that make it easier and more attractive for employers to help supply and manage housing for workforce	Not started

○	Master planning	Progress
4.1	Consider undertaking master planning of large englobo State and Council sites, including Council-owned freehold land.	Funding Required

○	Supports	Progress
5.1	Advocate for greater coordination of information from the Queensland Government involving/affecting local governments through: <ul style="list-style-type: none"> Collecting, monitoring and communicating Rockhampton-specific information, including socio-economic indicators, relevant housing data, and input from local stakeholders Increasing/improving communication on government housing policy and funding programs, ensuring this is disseminated to housing stakeholders (CHPs, housing services, local governments, construction and developers) 	Underway
5.2	Pursue opportunities for developing community connections for new residents, particularly for immigrant and major project workforces	Not started

○	People in need	Progress
6.1	Establish a housing stakeholder network that reports regularly on progress and identifies issues that need addressing, including: <ul style="list-style-type: none"> • Demand for social housing • Rental tenancy supports • People with complex needs • Homelessness supports • First Nations/Islander communities 	Completed and continuing
6.2	Address specific housing and services needs of specific communities. Example: the Mount Morgan community's need for affordable housing and pressures on housing availability from major projects	Underway

○	Construction	Progress
7.1	Ensure accurate data/information is available concerning residential construction workforce and supply chain issues on Rockhampton region developments	Underway
7.2	Support and encourage end-to-end developers that can deliver finished housing product in the region.	Underway
7.3	Support workforce and construction trades skills development in the region through delivery of targeted vocational programs and delivery of the CQU TAFE Centre of Excellence and campus consolidation project.	Funding Required

○	Capital solutions	Progress
8.1	Seek support from State and/or Federal Government and pursue grant and other funding opportunities to accelerate delivery of trunk infrastructure	Support required
8.2	Advocate to have policy/programs include cost of land purchase in funding programs for social housing development	Not started
8.3	Seek to resolve rail crossing issues in Parkhurst with Queensland Rail in order to achieve safe access to land that could be better utilised for residential development	Support required
8.4	Investigate and develop potential incentives for development: <ul style="list-style-type: none"> • Existing multi-unit dwelling incentive - 60% of normal infrastructure charge • Social housing – potential policy and procedures for supporting development incentives (75% discount on infrastructure charges) 	Underway

6.3 Next steps

Council will establish a Local Housing Action Plan Working Group of key representatives from Council, relevant State agencies, key stakeholders and community organisations, to oversee and progress actions, review findings, report six monthly progress and further develop the Plan in an open partnership to address and ultimately resolve the housing challenge.

Attachment 1: Stakeholder consultation

Stakeholder workshops

Council convened two stakeholder workshops – one on 15 September 2023 and a follow-up workshop on 16 November 2023. Stakeholders were from state and local government, service providers, construction, housing planners and developers, and real estate sectors. Most who attended the first workshop also attended the second. Council officers also conducted follow-up, one-one-one meetings with many stakeholders to discuss issues in-depth.

The first workshop covered the LHAP process and the housing information that had been collected to-date. An update was also provided on Council's Planning Scheme. Further information about housing pressures and the demand for social housing was presented by Anglicare CQ.

In the second workshop, assessment and analysis of findings were presented. These highlighted the areas that Council would be concentrating on in its LHAP, which included: Social Housing, Workforce Housing, Affordable Housing, and Residential Development/Construction.

Participants provided Council with their views, experiences and suggestions for addressing specific housing issues. Stakeholders were very supportive of the LHAP and the efforts the work that was undertaken by Council. All those participating have agreed to continue with network meetings.

Individual stakeholder meetings

- Anglicare CQ
- Catholic Care
- Central Queensland University
- Coast2Coast
- CQID
- Department of Housing, Local Government, Planning and Public Works
- Department of Premier and Cabinet
- Major employers
- Major project proponents/representatives
- Master Builders Association
- QShelter
- Regional Development Australia – Central and Western Queensland
- St Vincent DePaul
- Tenants Queensland
- UDIA

Forums and workshops attended

- Australian Government, Department of Social Services, Housing and Homelessness Forum
- CQ Healthcare Workforce Workshop, Coast2Coast
- QCOSS Community Forum in Rockhampton, including a session on housing data for Rockhampton

Attachment 2: Workforce requirements

	Total number	Number from local	Number needed to bring in	Type of accommodation needed	Location	Workforce type	Timeframes	Value
	Local + non-local workforce	Estimate of local population that is available	Estimate of non-local population that will be needed to reach total workforce required	- Worker camp - Temporary/Short-term - Transition - Residential	RRC locality	- Project - Operational - Seasonal	- Start - End - Stages	
TOTAL FOR RENEWABLE SECTOR Note: To establish who local or non-local, the current % of out of area was used.	1,350	N/A	N/A	Temporary/Short-term Worker camp Non-worker camp preferred for some projects	Mount Morgan Rural areas of LGA	Project Operational		
TOTAL FOR RESOURCES SECTOR Notes: • Jobs Queensland estimates that there will be 71 new jobs for Rockhampton • To establish who local or non-local, the current % of out of area was used.	150	105	35	Residential	Mount Morgan	Operational		
TOTAL FOR AGRICULTURE SECTOR Note: To establish who local or non-local, the current % of out of area was used.	680+	137	543	Transition Residential Worker Camp	Rockhampton Gracemere Rural areas of LGA	Operational Seasonal	Start – Q1 2024	
TOTAL FOR CONSTRUCTION SECTOR Notes: • Jobs Queensland estimates that there will be 1,531 new jobs for Rockhampton • To establish who local or non-local, the current % of out of area was used.	1,531+	1,301	230	Worker camp	Rockhampton Gracemere Mount Morgan	Project	Start – Q1 2024	
TOTAL FOR DEFENCE SECTOR Note: % of local or non-local not known	70	0	70	Residential	Rural areas of LGA	Operational		
TOTAL FOR TRANSPORTATION SECTOR Note: To establish who local or non-local, the current % of out of area was used.	70	55	15		Rockhampton	Operational		
TOTAL FOR SERVICES SECTOR (Healthcare, social/community, education and retail) Note: To establish who local or non-local, the current % of out of area was used.	2,805	2,140	665		Rockhampton	Operational	Start – Q1 2024	
TOTAL ACROSS ALL SECTORS	6,656	3,683* *split not known at this time	1,558* *split not known at this time					

Data source: Jobs Queensland and direct consultation with major project representatives and employers.

11.13 SOCIAL HOUSING DEVELOPMENT INCENTIVE POLICY

File No:	11979
Attachments:	1. DRAFT Social Housing Development Incentive Policy ↓
Authorising Officer:	Angus Russell - Executive Manager Advance Rockhampton Evan Pardon - Chief Executive Officer
Author:	Ann Davie - Senior Advisor Advocacy

SUMMARY

This report presents a policy to provide development incentives for social housing projects developed by Community Housing Providers in Rockhampton.

OFFICER'S RECOMMENDATION

THAT the Social Housing Development Incentive Policy be accepted, with Option 3 in relation to providing infrastructure charges concession.

COMMENTARY

There are currently approximately 900 people/households in Rockhampton on the Queensland Social Housing Register waiting list. The demand for social housing has increased substantially in the past few years:

Rockhampton Social Housing Register – annual comparison

2023	2022	2021	2020	2019
904	605	560	430	283

Social housing is owned and provided by both the Queensland Government and Community Housing Providers (CHPs). As of September 2023 (latest data), there are 1,772 social housing dwellings in the Rockhampton region, of which approximately 1/3 are owned by local CHPs.

The Queensland Government has recently increased the number of dwellings it owns, as well as constructing new dwellings – most recently commencing multi-unit developments on George Street and Denison Street in Rockhampton City.

Rockhampton has 3 CHPs:

- Anglicare CQ – Tier 2 – properties across Central and Western Queensland
- Roseberry – Tier 3 – properties primarily Rockhampton and Gladstone
- REACH Ltd – Tier 3 – properties in Rockhampton

The local CHPs have limited capacity to develop projects but are committed to increasing their stock of social housing.

In mid-2023, the Queensland Government requested that all local governments develop a Local Housing Action Plan (LHAP) to assist in increasing the supply of all types of housing, including social housing. Rockhampton Regional Council has been working with key stakeholders to develop its LHAP.

The Queensland Government, through its *Homes for Queenslanders* initiative, has increased funding for the development of social housing. It has also set targets for delivery of 53,500 social homes by 2046.

Council has worked collaboratively with both the Queensland Department of Housing (DHLGPPW) and local CHPs to identify areas of high demand, suitable locations for social housing, and land availability.

Council has also worked closely with CHPs to understand their needs for support in developing social housing. One of the barriers to development identified was the cost of Infrastructure Charges.

In the absence of any current development incentives policies, Council has been considering requests on a case-by-case basis. CHPs have sought to have a level of certainty around Council's Infrastructure Charges to support the development of project proposals and associated applications to State and Federal Government social and affordable housing programs. The intent of this proposed policy is to provide both consistency and certainty to CHPs.

Council's proposed LHAP includes an action to support social housing development through a development incentive, as well as other efforts to facilitate development.

There are a range of potential levels of relief for Infrastructure Charges for social housing developed and operated by CHPs. A number of options are presented below:

Option 1 - No concession on Infrastructure Charges

Option 2 - 25% concession on Infrastructure Charges

Option 3 - 50% concession on Infrastructure Charges

Option 4 - 75% concession on Infrastructure Charges

It is recommended that Council consider a 50% concession be adopted.

PREVIOUS DECISIONS

Concession under the previous Development Incentives Policy concerning incentives for a range of developments including medical, health and community services, and aged care and retirement facilities were set at 75%. That policy expired in December 2022 and in the absence of a new policy Council has considered any requests for concessions to development application fees and/or infrastructure charges on a case-by-case basis.

BUDGET IMPLICATIONS

Options 2,3 or 4 would reduce Council revenue from infrastructure charges.

CORPORATE/OPERATIONAL PLAN

Providing infrastructure charges relief supports the development of social housing, including crisis accommodation, and aligns with the Corporate Plan Goal 2.2.3 *We support our people and community groups through our programs and resources.*

CONCLUSION

Council will continue work through its LHAP to support the development of social housing in Rockhampton as well as other initiatives to address the current housing crisis.

SOCIAL HOUSING DEVELOPMENT INCENTIVE POLICY

DRAFT Social Housing Development Incentive Policy

Meeting Date: 23 April 2024

Attachment No: 1

**SOCIAL HOUSING DEVELOPMENT
INCENTIVES POLICY
1 MAY 2024 to 30 APRIL 2027
COMMUNITY POLICY**



1 Scope

This policy applies to qualifying social housing developments within the Rockhampton Region. The policy excludes developments by or on the behalf of State or Federal Government Departments, Agencies or Government Owned Corporations.

2 Purpose

The purpose of this policy is to support social housing development in the Rockhampton Region that meets the needs of the community.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Housing Act 2003

Planning Act 2016

Planning Regulation 2017

Social Housing Development Incentives Application Form

Rockhampton Region Planning Scheme 2015

Social Housing Development Incentives Procedure

Charges Resolution (No.1) of 2022

4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Community Housing Provider	A not-for-profit organisation registered with the National Regulatory System Community Housing that provides housing services within the Region.
Council	Rockhampton Regional Council

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Qualifying Development	A development that has made application and been granted a development incentive under this policy.
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Social Housing	Dwellings managed by a Community Housing Provider or the Queensland Government that provide subsidized rental or emergency accommodation to tenants registered with the Queensland Government Social Housing Register.

5 Policy Statement

The policy is designed to support qualifying developments in the Region in order to provide a sufficient supply of social housing to meet the needs of the community.

The focus of the policy is on developments that will:

- (a) Meet the demand for social housing in the Region;
- (b) Provide diversity in the Region's social housing;
- (c) Support vulnerable and disadvantaged households; and
- (d) Support the Region's residential development industry.

The policy is a discretionary scheme which seeks to attract and support projects that deliver the greatest community and economic benefits to the Region. It does not replace the function or application of Council's Charges Resolution (No. 1) of 2022 or any representations made against an Infrastructure Charge Notice that may result in a Negotiated Infrastructure Charge Notice.

It is not the purpose of the policy to enhance the viability of marginal and/or speculative development.

Development that is ineligible under this policy will be subject to Council's Charges Resolution (No. 1) of 2022.

5.1 Eligibility Criteria

To apply for an incentive under this policy a Social Housing Development Incentive Application Form must be submitted to Council.

To be eligible for development incentives under this policy, a development must meet all of the following requirements:

5.1.1 Commencement of Policy

This policy applies to properly made development applications received by Council between 1 May 2024 and 30 April 2027. No consideration will be given to the reduction, deferment or repayment of infrastructure charges levied or received prior to 1 May 2024.

5.1.2 Use Category

The policy applies to making a material change of use or carrying out building works consistent with the Rockhampton Region Planning Scheme 2015 for an eligible land use as detailed in paragraph 5.2.1.1.

5.1.3 Location of development with respect to water and wastewater infrastructure

Developments must have access to water and wastewater infrastructure, without the need for further water and wastewater infrastructure to be constructed by Council.

5.1.4 Commencement of Use

The development must have a building certificate of classification issued and use of the development has commenced within three years of the properly made development application being approved by Council. For the avoidance of doubt, any approved incentive will be revoked and charges will revert to those notified in the Infrastructure Charges Notice or the Negotiated Infrastructure Charges Notice if the use is not commenced or building certificate of classification is not issued within three years of the properly made development application

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being approved by Council.

5.1.5 Continued Use

Applicants must provide evidence that the development will provide social housing for a significant amount of time, being in the excess of 20 years.

5.1.6 Community Housing Provider

The completed development must be managed by a community housing provider. Applicants must demonstrate that they have undertaken due diligence to ensure the community housing provider responsible for tenancy management has the appropriate capacity/capability and is registered with the National Regulatory System Community Housing.

5.1.7 Non-Government Development

The development is not to be by or on the behalf of State or Federal Government Departments, Agencies or Government Owned Corporations.

5.1.8 Prior Agreements

The policy is not available to applicants who have previously entered into an infrastructure agreement for the development in accordance with Council's Charges Resolution (No. 1) 2022 or have previously been granted a development incentive for the development.

5.1.9 No outstanding debts to Rockhampton Regional Council

Developments must not be from a person or entity that has an outstanding debt to Council.

5.2 Infrastructure Charges Incentives

Infrastructure charges incentives provide a concession mechanism for infrastructure charges, at the discretion of Council, as an incentive for developments that will deliver significant and sustainable community and economic benefits in alignment with Council's planning objectives.

5.2.1 Infrastructure Charges Concession

The infrastructure charges concession mechanism provides an immediate and permanent concession on infrastructure charges to be paid in accordance with Council's Charges Resolution (No. 1) of 2022 or any subsequent amendments or versions of the Charges Resolution or any subsequent amendments or versions of the Charges Resolution.

5.2.1.1 Eligible Land Use and Concession

A XX% concession on payment of infrastructure charges in accordance with the Adopted Infrastructure Charges Notice may apply to the land uses in the following table.

Eligible Land Use	Definition
Dual Occupancy	As defined in the Rockhampton Planning Scheme 2015, dual occupancy: 1) means a residential use of premises for two households involving: a) two dwellings (whether attached or detached) on a single lot, or two dwellings (whether attached or detached) on separate lots that share a common property; and b) any domestic outbuilding associated with the dwellings; but 2) does not include a residential use of premises that involves a secondary dwelling.
Multiple Dwelling	As defined in the Rockhampton Planning Scheme 2015, multiple dwelling means a residential use of premises involving three or more dwellings, whether attached or detached, for separate households.

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5.2.1.2 Application of Concession

The net payable infrastructure charge is calculated, with any applicable credits and offsets applied, as per section 3.1 of Council's Charges Resolution (No. 1) of 2022. The concession will then be applied to the net payable infrastructure charge at the time of payment.

5.2.2 Ongoing Eligibility

The following will be applied to Infrastructure Charges Incentives:

5.2.2.1 Non-Commencement of Use

In the event that the use is not commenced within three years of the development approval being issued by Council, the infrastructure charges incentive granted will be revoked and payment of the full value of infrastructure charges in accordance with the issued Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice will be applicable.

5.2.2.2 Non-Payment of Infrastructure Charges

In the event that the infrastructure charges for a development are not received in accordance with the times of payment calculated in paragraph 5.2.1.2, the Infrastructure Charges Incentive granted will be revoked and payment in accordance with the issued Infrastructure Charges Notice or Negotiated Infrastructure Charges Notice will be applicable.

5.2.2.3 Continued compliance with development policies

There are no development offences being committed in relation to the Development.

5.2.2.4 Approvals and Non-Approvals

Council adoption is required for the non-approval of development incentive applications or to grant less development incentives than the applicant applied for.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) Upon adoption of a new planning scheme for the Rockhampton Regional Council planning area;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Executive Manager Advance Rockhampton
Policy Owner	Executive Manager Advance Rockhampton
Policy Quality Control	Legal and Governance



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11.14 LOCAL GOVERNMENT SUSTAINABILITY - SUBMISSION TO HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON REGIONAL DEVELOPMENT, INFRASTRUCTURE AND TRANSPORT

File No: 5165
Attachments: Nil
Authorising Officer: Angus Russell - Executive Manager Advance
Rockhampton
Evan Pardon - Chief Executive Officer
Author: Ann Davie - Senior Advisor Advocacy

SUMMARY

This report presents information about a proposed submission to an inquiry conducted by the Australian House of Representatives Standing Committee on Regional Development, Infrastructure and Transport on local government sustainability.

OFFICER'S RECOMMENDATION

THAT Council supports the development of a submission to the parliamentary inquiry.

COMMENTARY

An inquiry into local government sustainability was announced on 21 March 2024. Submissions to the inquiry close on 3 May 2024.

The purpose of the inquiry is to provide the standing committee with "a deeper understanding of local government financial sustainability and funding frameworks, alongside the changing infrastructure requirements and service delivery obligations for local governments."

The terms of reference outline that the inquiry will focus on:

- The financial sustainability and funding of local government
- The changing infrastructure and service delivery obligations of local government
- Any structural impediments to security for local government workers and infrastructure and service delivery
- Trends in the attraction and retention of a skilled workforce in the local government sector, including impacts of labour hire practices
- The role of the Australian Government in addressing issues raised in relation to the above
- Other relevant issues.

The Committee will identify barriers and opportunities to improve local government sustainability. Following this, the Government will provide a response to any recommendations made.

The Local Government Association of Queensland (LGAQ) is also preparing a submission to the inquiry and have engaged AEC Group to prepare a discussion paper that will inform their submission. The discussion paper has identified these issues that are likely to be included in the LGAQ submission:

- Prevalence of operating deficits amongst Queensland local governments
- Dependence on grants, particularly regional and remote councils
- Higher levels of infrastructure investment being driven by increased costs, not by additional projects

- Impact of cost shifting – councils (particularly regional and remote) are being required to deliver more due to a lack of commercial or government service delivery within their local government areas
- Cost base exceeding revenue base – primarily affecting regional and remote councils with large service areas and fewer rate payers
- Inadequacy of the Financial Assistance Grants funding model – both in terms of overall amount and distribution
- Reliance on grant funding creates uncertainty around income
- Exemptions to rates and charges imposed by other levels of government
- Importance of Federal Government grant programs, particularly for regional and remote councils
- Attraction of skilled workforce, particularly in regional and remote local government areas.
- Availability of housing and services to support workforce, particularly in regional and remote local government areas

While the LGAQ submission is likely to address many issues affecting Rockhampton Regional Council, there are other issues that have also been identified:

- Limited borrowing capacity
- Reliance on competitive funding programs where local governments are in competition with commercial businesses, not-for-profit organisations and other levels of government
- Project timeframes needing to be drawn out, costing Councils more and reducing efficiencies
- Impact of natural disasters and ongoing recovery to local governments
- The need to ensure equity of services to all areas of the country
- Uncertainty in providing legislated service standards when balancing budget priorities

Council officers have been gathering and assessing data and policy information to inform development of its submission. A copy of the final submission will be circulated via the Information Bulletin.

In addition, Council will supply LGAQ with feedback to inform the LGAQ submission.

CORPORATE/OPERATIONAL PLAN

This work aligns with these Corporate Plan goals:

1.1 We are fiscally responsible

1.2 We are motivated to provide excellent service and have a strong organisational culture

5.1 Our Region has infrastructure that meets current and future needs

CONCLUSION

The Inquiry into Local Government Sustainability provides the opportunity for the Australian Government to acknowledge the challenges faced by regional local governments. These insights may support efforts in developing policy and funding solutions that ensure Councils are able to secure more stable futures.

While the LGAQ submission provide a collective voice for Councils, it is important that the unique issues facing Rockhampton Regional Council are recognised. Council officers will provide input into the LGAQ submission, along with its own submission.

Council officers will track progress with the inquiry and government response. Information gathered in preparation of the submission will also be used in advocacy efforts.

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR SHANE LATCHAM - BOWEN BASIN MINING CLUB LUNCHEON

File No: 10072

Attachments: 1. **Correspondence to Chief Executive Officer from Cr Shane Latcham; Bowen Basin Mining Club Luncheon Attendance**[↓](#)

Responsible Officer: **Nicole Semfel - Executive Assistant to the Mayor
Justin Kann - Manager Office of the Mayor**

SUMMARY

Councillor Shane Latcham has indicated his intention to move the following Notice of Motion at the next Council meeting scheduled for Tuesday 23 April 2024 regarding attendance at Bowen Basin Mining Club Luncheons.

COUNCILLOR'S RECOMMENDATION

THAT Council approve Councillor Shane Latcham's attendance at Bowen Basin Mining Club Luncheon meetings during this current term of office, 2024-2028.

BACKGROUND

Rockhampton Regional Council (RRC) has had a highly visible presence at Bowen Basin Mining Club since 2012. There has been a long association of RRC Councillors attending Bowen Basin Mining Club luncheon meetings.

The Bowen Basin Mining Club provides the largest networking events for the resource mining industry in the Bowen Basin.

The last Bowen Basin Mining Club meeting was held in Rockhampton on Thursday 13 July 2023. The event was well supported by resource mining industry representatives and businesses who had travelled from afar as Brisbane, Emerald, and Mackay.

On 13 September 2022, Councillor Shane Latcham was approved to attend Bowen Basin Mining Club Luncheon meetings for the duration of the 2020-2024 Council term.

Attendance at the Bowen Basin Mining Club by Rockhampton Regional Council, Councillors represents a commitment on behalf of Rockhampton Regional Council to support the resource mining industry in Central Queensland.

Associated costs shall be expended from within the Councillor Travel Expenses allocation. This would include the registration fee, travel by vehicle and meals to attend the event. Accommodation is not required. Councillors and Officers attending the Bowen Basin Mining Club meetings would be able to car-pool to save on transport costs.

Rockhampton Regional Council is respected and recognised for engagement with the mining community and contributions to the region, hence, Councillor Shane Latcham is seeking attendance approval for the 2024-2028 term of office.

**NOTICE OF MOTION - COUNCILLOR
SHANE LATCHAM - BOWEN BASIN
MINING CLUB LUNCHEON**

**Correspondence to Chief Executive
Officer from Cr Shane Latcham
Bowen Basin Mining Club Luncheon
Attendance**

Meeting Date: 23 April 2024

Attachment No: 1



Councillor Shane Latcham
Division 1
Waste and Recycling Portfolio
shane.latcham@rrc.qld.gov.au
0437 857 736

5 April 2024

Mr Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
232 Bolsover Street
ROCKHAMPTON QLD 4700

Dear Evan

Notice of Motion

I hereby give notice of my intention to move the following motion at the meeting of Council on Tuesday 23 April 2024.

“THAT Council approve Councillor Shane Latcham’s attendance at any Bowen Basin Mining Club Luncheon Meetings; during this current term of office; 2024-2028.”

Yours faithfully

A handwritten signature in black ink, appearing to read "SL", is written over a light blue horizontal line.

Councillor Shane Latcham
Division 1
Rockhampton Regional Council

12.2 NOTICE OF MOTION - COUNCILLOR SHANE LATCHAM - AUSTRALIAN INSTITUTE OF MANAGEMENT DIRECTORS CERTIFICATE COURSE

File No:	10072
Attachments:	1. Correspondence to Chief Executive Officer from Councillor Shane Latcham; AIM Directors Certificate Course ↓ 2. Australian Institute of Management Directors Certificate Course Details ↓
Responsible Officer:	Nicole Semfel - Executive Assistant to the Mayor Justin Kann - Manager Office of the Mayor

SUMMARY

Councillor Shane Latcham has indicated his intention to move a Notice of Motion at the next Council Meeting scheduled for Tuesday 23 April, 2024 requesting approval to attend the Australian Institute of Management Director's Certificate Course to be held in Brisbane on 6 and 7 June 2024.

COUNCILLOR'S RECOMMENDATION

THAT Council approve all travel and accommodation expenses for Councillor Shane Latcham to attend the Australian Institute of Management Director's Certificate course in Brisbane on Thursday 6 June 2024 and Friday 7 June 2024.

BACKGROUND

The updated "Expenses Reimbursement and Provision of Facilities for Mayor and Councillors Policy" was approved at Council's Ordinary Meeting on 9 April 2024.

This Policy states that any travel expenses outside the CQROC Local Government Areas for professional development must be approved in advance by Council resolution.

The Australian Institute of Management (AIM) Director Certificate course is designed to help both aspiring and new board members, as well as those who find themselves having to work more closely with company boards to understand the key requirements of an Australian Company Director through an intensive and highly interactive two-day learning experience.

The course is delivered through attending an on-campus, two-day face-to-face workshop. The benefits of studying in a classroom setting include being able to share first-hand experiences, ideas and questions with peers and expert facilitators. Study will be with like-minded people and will strengthen one's network.

A copy of the course outline has been attached to the Notice of Motion.

BUDGET IMPLICATIONS

Council pays or reimburses expenses incurred by a Councillor attending the professional development. The course fees of \$3,350 and any associated travel expenses are within the acceptable professional development discretionary training budget allocation for Councillors.

CONCLUSION

The community expects effective governance from its elected representatives. This course identifies key attributes and governing principles of successful boards and identifies leadership skills, behaviours, thinking, awareness and mindset required to operate effectively as a board member and community leader. Councillor Latcham believes the course will assist in his professional development as a Councillor of Rockhampton Regional Council.

**NOTICE OF MOTION - COUNCILLOR
SHANE LATCHAM - AUSTRALIAN
INSTITUTE OF MANAGEMENT
DIRECTORS CERTIFICATE COURSE**

**Correspondence to Chief Executive
Officer from Councillor Shane
Latcham; AIM Directors Certificate
Course**

Meeting Date: 23 April 2024

Attachment No: 1



Councillor Shane Latcham
Division 1
Waste and Recycling Portfolio
shane.latcham@rrc.qld.gov.au
0437 857 736

9 April 2024

Mr Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
232 Bolsover Street
ROCKHAMPTON QLD 4700

Dear Evan

Notice of Motion

I hereby give notice of my intention to move the following motion at the meeting of Council on Tuesday 23 April 2024.

"THAT Council approve all travel and accommodation expenses for Councillor Shane Latcham to attend the Australian Institute of Management Directors Certificate Course in Brisbane; held Thursday 6th June 2024 – Friday 7th June 2024."

Yours faithfully

A handwritten signature in black ink, appearing to read "Shane Latcham".

Councillor Shane Latcham
Division 1
Rockhampton Regional Council

**NOTICE OF MOTION - COUNCILLOR
SHANE LATCHAM - AUSTRALIAN
INSTITUTE OF MANAGEMENT
DIRECTORS CERTIFICATE COURSE**

**Australian Institute of Management
Directors Certificate Course Details**

Meeting Date: 23 April 2024

Attachment No: 2



AIM FACULTY OF
LEADERSHIP
AND STRATEGY

AIM
DIRECTOR
CERTIFICATE

Australian
Institute of
Management



The composition of company boards is in the process of dramatic change. The traditional emphasis on legal and financial skillsets is being challenged, with a significantly more diverse approach being required for success in today's rapidly changing business environment.

Companies are seeking board members with a much broader set of experiences to help advise and guide business through the challenges that many are facing post pandemic. In addition, interpersonal skills that foster strong collaboration, digital skills, adaptability and resilience are being identified as requirements for the boardrooms of the future.

The need for these skills and experiences stems from the board's changing role. In many cases boards are going beyond their core financial responsibilities, they need to be able to view the operations of corporates through an Environmental, Social and Governance (ESG) lens to help, amongst other things, navigate technological shifts, make cyber security decisions, ensure resilience, and monitor corporate culture. Increasingly there is pressure on boards to be fully engaged and act as catalysts for change.



AIM Director Certificate



With change comes opportunity, more board positions will be accessible to more and more individuals, those who are new to board positions must quickly understand their core responsibilities so they can focus on a deeper understanding of the company's business. Employees' interactions with boards will grow as stakeholder groups widen, resulting in an increased need for understanding of how boards work and what they need to be effective.

The AIM Director Certificate course is designed to help both aspiring and new board members, as well as those who find themselves having to work more closely with their company boards, to understand the key requirements of an Australian company director through an intensive and highly interactive two-day learning experience.

AIM Director Certificate

COURSE DURATION:
2 Day On-Campus Workshop

PRICE: \$3,350

BOOK NOW 

ENQUIRE NOW 

Is this course right for you?

This course is designed to help aspiring and new board members, as well as those who find themselves having to work more closely with their company boards, to understand the key requirements of an Australian company director, how boards and management work together effectively, and build skills applicable to the board of the future.

Delivery Mode

On-Campus Workshop – 2 day face-to-face workshop

The benefits of studying in a classroom setting include being able to share first-hand experiences, ideas and questions with peers and our expert facilitators.

You'll study with like-minded people and strengthen your network.

Learning Outcomes

Developed by Board Directors from a diverse group of companies and industries, this interactive two-day learning experience targets the essential elements of an effective board member. Upon completion of this course you will be able to:

- Identify key attributes and governing principles of successful boards.
- Describe the role of the board, its director and officers and the behaviours that exemplify an effective board member.
- Examine the challenges facing boards including personal liability of members, remaining solvent and maintaining sustainable ethical business practices.
- Identify typical risks associated with managing organisations at board level and develop risk mitigation strategies.
- Develop an understanding of the growing importance of ESG (Environmental, Social, and Governance) and how this is shaping Board views and investments.
- Create a personal development plan identifying leadership skills, behaviours, thinking, awareness and mindset required to operate effectively as a board member, leader or executive leader.



Certified by AIM

Upon completion of the AIM Director Certificate you will receive a high-quality printed certificate that showcases your new skills and knowledge.

You will also be sent digital certificates that can be immediately shared on your social channels to showcase and leverage this achievement.

Becoming AIM certified provides you with recognition that you have completed training from Australia's largest corporate training provider and a highly respected institution.



**To enrol or find out more information
call 1300 658 337**

Workshop Overview

DAY ONE

Welcome and introductions

Fit for an Uncertain Future:

Australian boards are under pressure. Explore the operating environment and guiding principles for Boards in Australia today, their challenges and opportunities.

'ESG': More than just governance:

Challenge outdated operating models and gain new perspectives on the role of the Board and its responsibility, not only for governance but for the environmental and social issues that frame investor expectations about sustainability and long-term value.

Management vs governance:

Explore the role of the Company Director and understand Board members' vital contribution towards organisational success including:

- Roles and accountabilities of the Board
 - Types of Director e.g. Executive and non-Executive, Volunteer, Committees
 - Duties of Directors and Officers
-

Case Studies and best practice models

What makes a great Director?

This session discusses the attributes, skills and behaviours required of effective directors and officers, such as:

- Oversight of company strategy
 - Engagement with multiple and varied stakeholders around ESG issues
 - Maintaining sound relationships with management
 - Essential interpersonal and other 'soft' skills
-

Case Studies and best practice models

DAY TWO

Review and recap

The Law and the Director: What you need to know, what you need to do.

Directors can become personally liable for decisions made in their capacity as director of a company. It is critical that directors understand all obligations imposed on them and current legal issues facing directors in Australia.

Case studies:

What would you do?

**To enrol or find out more information
call 1300 658 337**

DAY TWO**Finance and the Director:**

Financial knowledge is essential to safeguard and maximise the financial performance of an organisation. This session discusses the specific role of directors in the financial management of the organisation.

Navigating the Risk:

Risk, compliance and regulatory overload may be distracting boards from strategic conversations that add real value. This session reviews contemporary Risk Management frameworks and best practice models for the governance of risk from a Director's perspective.

Case Study:

Cyber Security

Standing out from the Crowd:

Wherever you are on the journey, from an aspiring board member to seeking new directors to join your organisation, you'll need to understand director selection and performance criteria.

'Presentation to the Board'

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13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting

15 CLOSED SESSION

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 Request for Infrastructure Charges Concession

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.2 Legal Matters Report - 1 January 2024 to 31 March 2024

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

16 CONFIDENTIAL REPORTS

16.1 REQUEST FOR INFRASTRUCTURE CHARGES CONCESSION

File No: 6237

Attachments: Nil

Authorising Officer: Angus Russell - Executive Manager Advance
Rockhampton
Evan Pardon - Chief Executive Officer

Author: Ann Davie - Senior Advisor Advocacy

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

The report deals with a request for infrastructure charges concession.

16.2 LEGAL MATTERS REPORT - 1 JANUARY 2024 TO 31 MARCH 2024**File No:** 1830**Attachments:** 1. **Legal Matters Report - 1 January 2024 to 31 March 2024****Authorising Officer:** **Damon Morrison - Manager Workforce and Governance
Ross Cheesman - Deputy Chief Executive Officer****Author:** **Shannon Jennings - Coordinator Legal and Governance**

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

SUMMARY

Presenting an update of current legal matters that Council is involved in as at 31 March 2024.

17 CLOSURE OF MEETING